

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 6691 OF 2019**

Devnath Nayak, S/o Shri Dayaluram Nayak, aged about 33 years, working as Health Coordinator (Male), Sub Health Centre, Kevtintola, Block Kanker, District North Bastar Kanker (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through the Secretary, Health and Family Welfare Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District-Raipur, Chhattisgarh.
2. The Director, Health Services, Chhattisgarh, Raipur, Chhattisgarh.
3. The Collector, District North Bastar Kanker, Chhattisgarh.
4. The Chief Medical and Health Officer, District North Bastar Kanker, Chhattisgarh.
5. The Block Medical Officer, Community Health Centre, Dhanelikanhar, District North Bastar Kanker, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Mr. D.N. Prajapati, Advocate.
For Respondent-State	:	Ms. Ishwari Ghritlahare, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****29/08/2019**

1. Challenge in the present Writ Petition is to the order of transfer dated 12.7.2019 (Annexure P-1) whereby the petitioner has been transferred from Sub Health Centre, Kevtintola, Block Kanker to Sub Health Centre, Kaudosalhebhat, Block Antagarh.
2. Contention of the counsel for the petitioner is that the petitioner falls within the protected category as he is the Block President of Swasthya Sanyojak Karmachari Sangh, Chhattisgarh.
3. Given the aforesaid fact, let the petitioner make a representation in this regard to respondent no.3 within a period of 10 days from today along with a copy of transfer policy of the State highlighting the aspect of the petitioner being under the protected category, and the respondent no.3 in turn shall consider and decide the same in accordance with transfer policy at the earliest, preferably within a period of 30 days from the date of receipt of representation.

4. Till the representation of the petitioner is decided, the effect and operation of the impugned order dated 12.7.2019 (Annexure P-1) shall remain stayed so far as the petitioner is concerned.
5. The interim order has been made on the contention of the petitioner that there is no replacement made in the transfer order so far as the petitioner's place is concerned.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

/sharad/