

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6887 of 2019

Dr. Dhaneshwar Prasad Bhardwaj S/o Late Shri Anand Ram Bhardwaj Aged About 43 Years Working As Medical Officer, And Posted At Government Community Health Centre, Badekilepal District Bastar, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Health And Family Welfare Development, Mahanadi Bhawan, Mantralaya New Raipur, District Raipur, Chhattisgarh
2. Collector Bastar District Jagdalpur, Chhattisgarh
3. Chief Medical And Health Officer Jagdalpur, District Bastar, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. Jitendra Pali, Dy. A. G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/09/2019

1. The Challenge in the present writ petition is to the order of transfer dated 19.08.2019 whereby the petitioner has been transferred from Govt. Community Health Centre, Badekilepal District Bastar to District Hospital Sukma.
2. The contention of the petitioner is that the petitioner has been working in a scheduled area since 2012 as such he has served around 7 years in the scheduled area, therefore, respondents if at all, if they want, should have transferred to petitioner to a non scheduled area as per the transfer policy.
3. Given the aforesaid facts, let the Petitioner make a detailed representation to the respondents in this regard within a period of 10 and respondents in turn shall take a decision within further period of 45 days from the date of receipt of representation of the petitioner.

4. Till the representation is decided, there shall be a stay of effect and operation of order so far as the petitioner is concerned.
5. The respondents while considering the case of the petitioner, may also consider the willingness that the petitioner has expressed for sending him to a non scheduled area.
6. The writ petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha