

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6857 of 2019**

Dr. J. P. Diwan S/o Shri Lakhan Lal Diwan, Aged About 40 Years
Presently Posted As Medical Officer At Community Health Centre
Kurud, District Dhamtari R/o Civil Hospital Campus, Kurud District
Dhamtari, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Health And Family Welfare Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. Under Secretary, Health And Family Welfare Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
3. Chief Medical And Health Officer, Dhamtari, District Dhamtari Chhattisgarh

---- Respondents

For Petitioner	:	Ms. Akshara Amit, Advocate
For State	:	Ms. Abhyunati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****05.09.2019**

1. The challenge in the present writ petition is to the order of transfer dated 19.08.2019 Annexure P-1 whereby the petitioner has been transferred from Community Health Centre Kurud, District Dhamtari to District Hospital, Kondagoan.

2. The contention of the counsel for the petitioner is that the wife of the petitioner is also a doctor and is posted at Community Health Centre, Kurud where the petitioner at present is working. Now the petitioner has been shifted to a different location thereby the Clause in the transfer policy stands violated of trying to accommodate husband and wife as far as possible at the same place.
3. Given the aforesaid facts, let the petitioner make a detailed representation in this regard to the respondent no.1 within a period of 10 days from the date of receipt of certified copy of this order and the respondent no.1 in turn shall consider and decide the same accommodating husband and wife as far as possible at the same place by either bringing the petitioner back to the present place of posting or taking the wife also to the place where the petitioner has been transferred. Let a decision be taken at the earliest preferably within a period of 45 days from the date of receipt of the representation.
4. Till the representation of the petitioner is decided, the effect and operation of the impugned order so far as the petitioner is concerned shall remain stayed
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge