

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS. No. 6919 OF 2019**

Smt. Manisha Jaiswal W/o Vishesh Jaiswal Aged About 32 Years Working On The Staff Nurse District Hospital Kanker, Resident Of Albelapara Kanker, District North Bastar Kanker, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Health And Family Welfare Department Mantralaya Mahanadi Bhawan, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, District-Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector North Bastar Kanker, District-Kanker, Chhattisgarh, District : Kanker, Chhattisgarh
3. Chief Medical And Health Officer Kanker, District-North Bastar Kanker, Chhattisgarh, District : Kanker, Chhattisgarh

---Respondent(s)

For Petitioner	:	Mr. V.K. Pandey, Adv.
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

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 (Annexure-P/1) dated 12/07/2019 whereby the services of the petitioner has been transferred from District Hospital Kanker to Primary Health Center Badgaon Block Koyalibeda
2. The Contention of the petitioner is that she is an office bearer in as much as she is a District General Secretary of Chhattisgarh Karamchari Congress for district Kanker. Therefore, she falls within protected category. Counsel for the petitioner further submits that husband of the petitioner is also posted at Kanker and as per the transfer policy, husband and wife should have been placed at the same place as far as possible .

3. Given the aforesaid facts, let the petitioner make a detailed representation in this regard within a period of 10 days' from the date of receipt copy of this order and respondents in turn shall decide the representation within further period 45 days' from the date of receipt of representation of the petitioner.
4. Till the representation is decided, there shall be a stay of the effect and operation of the order so far as the petitioner is concerned.
5. The writ petition stands disposed off.

Sd/-

(P. Sam Koshy)
Judge