

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7160 of 2019**

Rupesh Kumar Sahu S/o - Shri Nandkumar Sahu, Aged About 35
Years, R/o - Kalartarai, Dhamtari, District Dhamtari, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Atal Nagar, New Raipur, District Raipur, Chhattisgarh
2. Chief Medical And Health Officer, Dhamtari, District Dhamtari Chhattisgarh
3. Satyaprakash Chandra, Assistant Medical Officer, Primary Health Centre, Chitalnar Sukma, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Manoj Paranjpe with Ms. Rashul Bhawnani, Advocates
For State	:	Mr. P. Acharya, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****11.09.2019**

1. The challenge in the present writ petition is to the order Annexure P-1 dated 19.08.2019 whereby the petitioner has been transferred from Primary Health Centre, Megha, Dhamtari to Primary Health Centre, Chitalnar, District Sukma.
2. On a query being put to the counsel for the petitioner she fairly concedes that the petitioner has been posted at the present place of posting for more

than 5 years. The ground now raised is that the wife of the petitioner is in employment at a nearby place and therefore as far as possible husband and wife should have been accommodated at the same place.

3. Given the fact that the petitioner has been posted at the present place for more than 5 years, therefore, it cannot be said that the impugned order is arbitrary or bad in law.
4. So far as the spouse being accommodated at the same place is concerned, the same is within the power of the State Government. Subject to the petitioner's wife making a suitable representation in this regard, the State is directed to ensure consideration of the said representation in accordance with the transfer policy at the earliest.
5. The writ petition accordingly stands rejected.

**Sd/-
P. Sam Koshy
Judge**