

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 7281 of 2019

Smt. Mamta Sahu W/o Anupam Lakra Aged About 31 Years Auxiliary Nurse Midwifery, Primary Health Center, Block Khairagarh, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Petitioner(s)

Versus

1. State Of Chhattisgarh Through Secretary, Home And Affairs Department, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. National Health Mission Chhattisgarh Through Director, Sector 27 New Raipur, Atal Nagar, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Sharda Dewangan Posted As Auxiliary Nurse Midwifery, Community Health Center, Block Londiguda, District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---Respondents

For Petitioner	:	Shri Anup Majumdar, Advocate.
For State	:	Shri Ashutosh Mishra, Panel Lawyer.
For Respondent 2	:	Shri C Jayant K Rao, Advocate.

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 of transfer dated 19.08.2019 whereby the petitioner has been transferred from Khairagarh to Lohandiguda.
2. The challenge in the transfer order is on the ground that the impugned order reflects transfer of the petitioner to have been made at the request of the petitioner.
3. According to counsel for the petitioner, the petitioner has never moved any application nor has requested any order of transfer, yet the authorities have shown the order of transfer to have been on its own cost.
4. Given the limited grievance that the petitioner has raised challenging the order of transfer, this Court is of the opinion that subject to verification of the facts that whether the petitioner has made a request for transfer, the impugned order so far as the petitioner is concerned, shall not be given

effect to. However, in case on verification if it is found that the petitioner has infact made a request, then the impugned order would not stand interfered and the respondents would be at liberty to relieve the petitioner from the present place of posting. Meanwhile, till the verification is done, the effect and operation of the impugned order, so far as the petitioner is concerned, shall not be given effect to.

5. The present Writ Petition, accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder