

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.7129 OF 2019**

1. Chandra Prakash Nair S/o Late P. K. M. Nair Aged About 50 Years Working As District Account Manager, Office At The Chief Medical And Health Officer, Durg, District Durg Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through The Secretary, Health And Family Welfare Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Mission Director National Health Mission, Nava Raipur, Atal Nagar, Raipur, District Raipur Chhattisgarh.
3. Chief Medical And Health Officer Durg, District Durg Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Om Prakash Sahu, Advocate.
For Respondent-State	:	Ms. Sunita Jain, Govt. Advocate.
For Respondent No.2	:	Shri CJK Rao, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06.09.2019**

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 Durg to Bastar.
2. The contention of the petitioner is that, the impugned order says that the petitioner is being transferred on completion of five years of service at the present place of posting. According to the petitioner, he has not completed five years of posting at the present place and therefore transferring the petitioner at this juncture is bad in law. Further contention of the petitioner is that, in fact the petitioner had moved an application for a mutual transfer with someone posted at Raipur, but that application has not been considered and on the contrary, the petitioner is being sent to a different location.
3. Given the aforesaid facts, let the petitioner make a representation in this regard to the respondents within a period of 10 day from today and the respondents, in turn, shall consider and decide the same in accordance

with transfer policy at the earliest preferably within a further period of 45 days. Till the representation of the petitioner is decided, the effect and operation of the order impugned shall remain stayed so far as petitioner is concerned.

4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge