

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7547 of 2019

1. Dr. Mamta Tiwari, W/o Dr. Dharendra Tiwari, Aged About 38 Years, Working As Ayush Medical Officer, Primary Health Center, Hardikala, District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Under Secretary, Health And Family Welfare, Mantralaya, Atal Nagar, New Raipur, District : Raipur, Chhattisgarh
2. The Director National Health Mission Directorate, Raipur, District : Raipur, Chhattisgarh
3. The Chief Health And Medical Officer, Bilaspur, District : Bilaspur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Rahul Mishra, Advocate
For State	:	Mr. Ayaz Naved, Govt. Advocate
For Respondent No. 2	:	Mr. C. J. K. Rao, Advocate

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

23.09.2019

1. The challenge in the present Writ Petition is to the impugned order Annexure P-1 dated 19.08.2019, whereby the petitioner has been transferred from Primary Health Centre- Hardikala, District: Bilaspur to Community Health Centre-Bafauli, District: Surguja, (C.G.) on her own request.
2. The challenge to the transfer order is on the ground that the impugned order reflects the 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 for 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 fact 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, on verification, if it is found that the petitioner has in fact 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.
5. 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.
6. The present Writ Petition, accordingly stands disposed off.

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