

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7296 of 2019**

Dinesh Kumar Sahu S/o - Gajaram Sahu, Aged About 35 Years,
Present Posting At Sub Health Center Tiwaripara, Kharaud Of
Community Health Center Pamgarh, District Janjgir-Champa
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Health And Welfare Department, Mahanadi Bhawan, Atal Nagar Raipur, District Raipur, Chhattisgarh
2. The Join Director In Health Depot, Health And Family Welfare Department Divisional Office Sipat Road Sarkanda Bilaspur District – Bilaspur, Chhattisgarh
3. The Chief Medical And Health Officer, Health Department, Janjgir District Janjgir – Champa, Chhattisgarh
4. The Block Medical Officer, Community Health Center Pamgarh District - Janjgir - Champa Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ravi Maheshwari, Advocate
For State	:	Ms. Ishwari Ghritlahare, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.09.2019**

1. The challenge in the present writ petition is to the order of transfer dated 23.08.2019 Annexure P-1 whereby the petitioner has been transferred from

Sub Health Center, Tiwaripara, Community Health Centre, Thanapara, District Janjgir-Champa to Sub Health Centre, Newari, Nayapara, District Bilaspur.

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. 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 off.

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