

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7393 of 2019**

Vijay Prakash Singh S/o Late S. P. Singh, Aged About 45 Years, R/o
New Sarkanda, Street No. 3, Seepat Road, District - Bilaspur
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through - Secretary, Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar District - Raipur Chhattisgarh
2. Under Secretary, Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, District - Raipur Chhattisgarh
3. Chief Medical And Health Officer, Bilaspur District - Bilaspur Chhattisgarh
4. Civil Surgeon, District Hospital, Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Pawan Kesharwani, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17.09.2019**

1. The challenge in the present writ petition is to the order Annexure P-1 dated 23.08.2019 whereby the services of the petitioner have been transferred from District Hospital Bilaspur to Primary Health Centre, Janjgir, district Janjgir Champa.

2. The ground of challenge is that the daughter of the petitioner is studying in class XIIth standard and at this juncture if the petitioner is transferred, the crucial stage of her study would get adversely affected particularly when she is appearing in XIIth Board Examination. Annexure P-3 is the document to show the fact that the daughter of the petitioner is studying in Class - XIIth. The other ground raised by the petitioner is his ailing mother who requires constant medical attention which may be provided easily if the petitioner is posted at Bilaspur.
3. Considering the fact that the daughter of the petitioner is pursuing XIIth Class Board Examination and that at this mid session, transfer of the petitioner may have an adverse impact on the educational part of his daughter, this Court is of the opinion that let the petitioner make a detailed representation within a period of 15 days from today to the respondents who in turn shall consider retaining of the petitioner till the present academic session is over and thereafter if required, the petitioner be transferred on administrative exigency. Let this exercise be completed within a period of 45 days from the date of receipt of the representation.
4. Till the representation of the petitioner is decided, the effect and operation of the impugned order so far as the petitioner is concerned shall remain stayed
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge