

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS NO. 7554 OF 2019**

1. Smt. Uttara Sahu W/o Rajkumar Sahu Aged About 40 Years Working As Rural Health Worker (Female) / Anm, Sub Health Centre, Kumhi, District Gariyaband Chhattisgarh. Permanent Address And Post Office Rampur, Tahsil Kurud, District Dhamtari Chhattisgarh. **---- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh.
2. Director Health Services, Indrawati Bhawan, Atal Nagar Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh.
3. Collector Gariyaband Chhattisgarh
4. Chief Medical And Health Officer Gariyaband Chhattisgarh.
5. Ambika Sahu Rural Health Worker (Female) / ANM, Sub Health Centre, Ramhepur (N), Lormi, District Mungeli Chhattisgarh... **Respondents**

For Petitioner	: Mr. Gary Mukhopadhyay, Advocate.
For State	: Mr. P. Acharya, P.L.

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 23.08.2019 whereby the respondent No. 5 has been transferred from District Mungeli to Distt. Gariyaband at her own request and expenses.
2. The contention of the petitioner is that respondent No. 5 is being transferred at the same place where the petitioner is presently discharging. It is the further contention of the petitioner that petitioner on an early occasion was transferred from Rajim to Block Mainpur vide order dated 12.07.2019 which was challenged by the petitioner in WPS No. 6079 of 2019, this Court had already granted an interim protection to the petitioner till the representation is decided. According to the petitioner, he has already made a representation

and the said representation is yet to be decided and also the interim order is already in favour of the petitioner. He further submits that on account of non compliance of the order dated 14.08.2019, the petitioner has also preferred a contempt petition ie Cont. No. 774 / 2019 which too is pending consideration and notices have been issued to the respondents in the said contempt petition.

3. Given the aforesaid facts & circumstances of the case, this Court, at this juncture, finds it difficult to entertain the present writ petition for the simple reason that the name of the petitioner is not reflected in the impugned order enabling him to challenge the same. The status of the petitioner pursuant to the interim order granted by this Court dated 14.08.2019 passed in WPS No. 6079 of 2019 remains stayed and she is deem to be in service at the place where he was working at the Sub Health Centre, Kumhi Rajim. Pursuant to the interim protection granted by this Court as long as there is no further change in circumstances and the respondent authorities having not decided the representation, this Court is of the opinion that the petitioner's place of posting remains at Sub Health Center Kumhi Rajim.
4. Needless to mention, since we are not entertaining the writ petition, the petitioner's right stands reserved for making a suitable representation against the impugned order dated 23.08.2019 to the State Government brining to the notice of the State authorities so far as the development aforementioned is concerned and on such representation being made, the authorities are expected to take an early decision.

Sd/-

**(P. Sam Koshy)
Judge**