

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7712 of 2019

Dr. Manish Kumar Patel S/o Than Singh Patel Aged About 33 Years Presently Posted And Working As Ayurved Medical Officer, Govt. Ayurved Dispensary, Bhatigarh, Block Mainpur, District- Gariyaband, Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, Mahanadi Mantralya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Ayush, Near Dks Hospital, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. District Ayurved Officer Gariyaband, Chhattisgarh., District : Gariyabandh, Chhattisgarh
4. Dr. Mahendra Nath Kashyap Ayurved Medical Officer, Primary Health Centre, Belar, District- Jagdalpur, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---Respondents

For Petitioner	:	Mr. Dhani Ram Patel, Advocate
For State	:	Mr. Ashutosh Mishra, P.L.

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

18/09/2019

1. The challenge in the present writ petition is to the impugned order Annexure P/1 dated 21.08.2019 whereby the petitioner has been transferred from Government Ayurved Dispensary, Bhatigarh, District Gariyaband to Primary Health Centre, Belar, District Jagdalpur.
2. The contention of the petitioner is that the petitioner has been appointed recently only vide order Annexure P/5 dated 28.09.2018 and the petitioner has been placed under probation for a period of two years. According to the petitioner, as per the policy of the State Government, a probationer cannot be transferred and the petitioner being a probationer could not have been transferred.

3. Given the said facts, let the petitioner make a detailed representation to the respondents within a period of 10 days from the date of receipt of the copy of this order and the respondents in turn shall consider and decide the same within a further period of 45 days from the date of receipt of the representation.
4. Meanwhile, the effect and operation of the impugned order shall remain stayed so far as the petitioner is concerned. The interim protection is also extended on any relieving order that has been issued against the petitioner.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved