

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7791 of 2019**

Dr. Laxman Kumar Bharti S/o Late C. L. Bharti Aged About 50 Years R/o
 Hirapur Basti, Ward No. 1 (Veer Sawarkar Nagar) Mobile Tower, Near
 Ashwarya Talkis, Post Officer Tatibandh, Raipur, District - Raipur,
 Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfare
 Department, Mantralaya, Mahanadi Bhavan, Atal Nagar, Thana And Post
 Naya Raipur, Naya Raipur, District Raipur Chhattisgarh. 492002
2. State Of Chhattisgarh, Through Convener And Secretary, Committee Of
 Senior Secretary, General Administration Department, Mantralaya,
 Mahanadi Bhawan, Atal Nagar, Thana And Post Naya Raipur, Naya
 Raipur, District - Raipur Chhattisgarh. 492002
3. State Of Chhattisgarh, Through The Secretary, General Administration
 Department, Mantralaya, Mahanadi Bhavan, Atal Nagar, Thana And Post
 Naya Raipur, Naya Raipur, District Raipur Chhattisgarh 492002
4. Dr. Tikeshwari Ganveer, Ayurved Medical Officer, Specilaity Clinic,
 Dhaneli Kunhar, District - Uttar Baster Kanker, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Arjit Tiwari, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

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

25/09/2019

1. The challenge in the present Writ Petition is to the impugned order [Annexure P/1 dated 21.08.2019](#) whereby the services of the petitioner has been transferred from Durg [to Kanker](#).
2. Primary ground of challenge in that the petitioner come within the protected category as he is State President of Chhattisgarh SC, ST Karmachari Sangh (AJACKS). Therefore, he falls within the protected category and could not have been transferred by the respondents.
3. Given the aforesaid circumstances of the case, let petitioner make a representation to respondent No.1 within a period of 10 days and on receipt of the representation, the respondent No.1 in turn shall consider the case of the petitioner for within a period of 45 days.
4. Till the representation of the petitioner is decided, the effect and operation of the impugned order shall remain stayed so far as petitioner is concerned.
5. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit