

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 7758 OF 2019**

Sanjay Kumar Mishra, S/o Late Shri Ramnath Mishra, aged about 53 years, R/o New Sarkanda, Muktidham Chowk, Bilaspur (CG) ... **Petitioner**

versus

State of Chhattisgarh, through the Secretary, Department of Health and Family Development, Atal Nagar, District Raipur (CG) ... **Respondent**

For Petitioner	:	Mr. Prafull N. Bharat, Advocate.
For Respondent-State	:	Ms. Abhyunnati Singh, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25/09/2019

1. Challenge in the present writ petition is to the order dated 23.8.2019 (Annexure P-1) whereby the petitioner has been transferred from the Office of Chief Medical & Health Officer, Bilaspur to Primary Health Centre, Dabhra, District Janjgir-Champa.
2. The ground of challenge is that the petitioner's daughter who is just 10 years old is suffering from Congenital Heart Disease and she needs to go undergo a surgery, as is evident from Annexure P-2 issued by the Apollo Hospitals, Bilaspur, and for which appropriate steps are being taken and the Government also has ordered for releasing the funds required for the medical expenditure. Under the circumstances, transferring the petitioner may have an adverse impact on the health of the daughter of the petitioner.
3. Given the said facts, let the petitioner within 10 days from today make an appropriate representation to the respondent-State which in turn shall be considered and decided by the respondent sympathetically taking into consideration the health of the daughter of the petitioner, as expeditiously as possible, preferably within a period of 45 days from the date of receipt of representation.
4. Till the representation is decided, the effect and operation of the impugned order of transfer (Annexure P-1) shall remain stayed so far as the petitioner is concerned.
5. With the aforesaid, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE