

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 7878 of 2019**

Yashwant Kumar Sinha S/o Late Tulsiram Sinha, Aged About 58 Years, Dresser Grade-I, Community Health Center Gobra Navapara District Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfare Department, New Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur, District Raipur, Chhattisgarh.
2. Chief Medical And Health Officer, Raipur, District Raipur, Chhattisgarh.
3. The Secretary, Department Of General Administration, New Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Prakash Mishra, Advocate.
For State	:	Mr. Ashutosh Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****26/09/2019**

1. The challenge in the present writ petition is to the order Annexure P-1 dated 23.08.2019 whereby the petitioner has been transferred from Community Health Center Gobra Navapara, District Raipur to Community Health Center Chhura, District Gariyaband.
2. The contention of the counsel for the petitioner is that the post which the petitioner occupies is a district cadre post and the seniority is maintained district wise, therefore, if the petitioner is transferred out of the district, it would have an adverse impact on his service career.

3. Given the aforesaid facts and circumstances of the case, let the petitioner make a detailed representation to the respondents within a period of 10 days from the date of receipt of certified copy of this order and the respondents in turn shall consider the same within a further period of 45 days from the date of receipt of the representation. The authorities are directed to verify whether the service of the petitioner would be adversely affected if he is transferred out of the district and whether the seniority of the petitioner is maintained district wise or state wise and thereafter shall take a decision on the representation of the petitioner.
4. Till the representation of the petitioner is decided, there shall be stay of the effect and operation of the impugned order so far as the petitioner is concerned.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Khatai