

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 7973 of 2019

Poonam Sahu W/o Devendra Sahu Aged About 31 Years Presently Posted And Pursuing M.Sc. Nursing At Primary Health Centre Nagpura, District Durg Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through - The Secretary, Health and Family Welfare Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Under Secretary State of Chhattisgarh, Health and Family Welfare Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.

---Respondents

For Petitioner	:	Shri Keshav Prasad Gupta, Advocate.
For State	:	Ms. Ishwari Dhrithalre, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30.09.2019

1. Challenge in the present writ petition is to order of transfer dated 23.08.2019 whereby the petitioner has been transferred from Nagpura, Durg to Atariya, Rajnandgaon.
2. According to the petitioner, she has been selected for undergoing course of M.Sc. Nursing and which she has to clear at her own expenses. Since she has to clear the said course at her own expenses, applying the principle of No Work No Pay she was granted permission by the department for the said course. Now, if the petitioner's place of posting is shifted from the present place, she may have difficulties in pursuing her studies from the transferred place and she would also incur financial loss which otherwise she stands protected if she is working at the present place. All these facts were taken note of by the department while order

dated 11.10.2018 was passed granting permission to the petitioner for studies.

3. Given the aforesaid facts, let the petitioner make a detailed representation in this regard to the respondents No.1 & 2 within a period of 10 days from today, who in turn, shall consider and decide the same at the earliest preferably within a further 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. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder