

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 8317 of 2019**

Prabhat Kumar Patel S/o Late Sudarshan Prasad Patel Aged About 33  
Years Assistant Grade III Office of Chief Medical And Health Officer,  
Balrampur, District Balrampur Ramanujganj Chhattisgarh.  
--- **Petitioner**

**Versus**

1. State of Chhattisgarh through the Secretary, Health and Family Welfare Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Distt. Raipur Chhattisgarh.
2. Chief Medical and Health Officer Balrampur District Balrampur Ramanujganj Chhattisgarh.
3. Shri Rajeshwar Ravi Assistant Grade III, 100 Bistar Hospital, Wardrafnagar District Balrampur Chhattisgarh.  
--- **Respondents**

---

For the Petitioner : Mr. Vaibhav Maheshwari & Mr. Manish  
Nigam, Advocates

For the State : Mrs. Astha Shukla, Panel Lawyer

---

**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**15-10-2019**

1. Grievance of the petitioner is that the petitioner is working as Assistant Grade III in the office of Chief Medical Officer, District Balrampur. He has been transferred to Primary Health Center, Bagbahar, Distt. Jashpur, Block Development Pathalgaon. It is submitted that the petitioner was appointed as a President of Chhattisgarh Karmachari Singh, Balrampur in the year 2019 and as such he is holding the post of office bearer of the State Employees Union which would be evident from Annexure P-6 and according to the policy/circular dated 24.06.1996, the Office bearer of the Union cannot be transferred even within a period of 3 years.

2. A perusal of Annexure P-6, prima faice shows that the petitioner is working as president of Chhattisgarh Karmachari Sang, therefore, considering the facts situation of the case and Policy of the State, it is directed that the petitioner shall be at liberty to make a representation to respondent No.1 supported by documents including the policy/circular of the State Government within a period of 10 days from the date of receipt of copy of this order. On receipt of such representation, the respondent no.1 shall consider and decide the same within a further period of 45 days. Till the representation is decided by respondent No.1, the order of transfer dated 23.08.2019 (Annexure P-1) with respect to the petitioner may not be given effect to.
3. Accordingly, this writ petition stands finally disposed off.

Sd/-

**GOUTAM BHADURI**  
**JUDGE**