

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8703 of 2019**

Mrs. Geeta Sagar, W/o. Mr. Beladas Bharat Sagar, Aged About 44 Years,
Post Rural Health Organizer (Female) Post At Sub Health Center Sanjay
Nagar Block Kanker, District Uttar Bastar Kanker, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Department Of Health And Family Welfare, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. Collector, District Uttar Baster Kanker, Chhattisgarh.
3. Chief Medical And Health Officer, Uttar Baster Kanker, Chhattisgarh.
4. Ku. Sheela Gupta, Primary Health Center, Badgaon, Block Koilibeda, District Uttar Bastar Kanker, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Parag Kotecha, Advocate
For State	:	Ms. Richa Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****22.10.2019**

Heard

1. Grievance of the petitioner is that the petitioner has been transferred from Primary Health Center Sanjaynagar, Kanker to Primary Health Centre Badgaon, Block Koyalibeda, which is 100 km away.
2. It is contended that the petitioner's husband is also a Teacher working at Singanpur, which is near Sanjaynagar and he is physically disabled as would be evident from Annexure P-4. Therefore, the transfer of the petitioner's wife to other place would be against the transfer policy of the State to keep the husband & wife at one place and further the disablement of the husband of the petitioner would invite more problem to the petitioner.

3. Perused the documents. The petitioner has been transferred from Sanjaynagar to Block Koyalibeda. The document Annexure P-3 would show that the husband of the petitioner is posted at Primary School Sarona and the remark column shows it's a husband-wife case. Meaning thereby, considering the wife of the petitioner posted nearby, the husband was posted at Primary School Sarona to keep the husband & wife at one place. The document Annexure P-4 would show that the husband of the petitioner is disabled to the extent of 40% and the representation made by the petitioner would show it is stated that the mother of the petitioner is also paralyzed. Considering the same, the medical documents and also the posting of the petitioner's husband, it is directed that the petitioner may make a fresh detailed representation before the respondent No.2 & 3 within a period of 15 days from today, who, in turn, shall consider and decide the same within an outer limit of 45 days from the date of receipt of the representation. Till then the transfer of the petitioner shall not be given effect to, if it has not been carried out till date.
4. With such observation, the petition stands disposed of.

Sd/-
Goutam Bhaduri
Judge

ashok