

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8549 of 2019

Yogesh Kumar Sahu S/o Ramratan Sahu Aged About 30 Years Presently Working As Multipurpose Health Worker (MPW) At Sub Health Center Sel, District Baloda Bazar-Bhatapara Chhattisgarh. **--- Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Department of Health and Family Welfare, New Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur, District Raipur District : Raipur, Chhattisgarh
2. Chief Medical And Health Officer Baloda Bazar-Bhatapara District Balodabazar-Bhatapara Chhattisgarh.
3. Manish Kumar Sahu S/o. Suryaprakash Sahu Aged About 28 Years R/o Village Chhanchhi, Tahsil Kasdol, District Baloda Bazar-Bhatapara Chhattisgarh. **--- Respondents**

For the Petitioners : Mr. Sushobhit Singh, Advocate.

For the Respondents : Mr. Binu Sharma, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17-10-2019

1. The petitioners who is working as Multi Purpose Health Worker at Sub Health Centre Sel, Distt. Baloda Bazar-Bhatapara has been transferred to Sub-Health Center at Jadjada, District Gariyaband by order dated 23.08.2019 which is under challenge in this writ petition.
2. It is contended that the appointing authority of the petitioner is CMO of the particular district and it is a district cadre post and if the petitioner is transferred from one district to another, the seniority and promotion of the petitioner would be effected as the seniority of the employees is maintained at district level.

3. Given the said circumstances of the case, it appears that the petitioner's services is a district cadre post and in the event of petitioner being shifted to another district, the seniority of the petitioner would get adversely affected.
4. Accordingly, let the petitioner make a representation in this regard to the respondents within a period of 10 days from the date of receipt of this order, who, in turn, shall consider and decide the same in accordance with the transfer policy at the earliest preferably within a further period of .
5. Till the representation of the petitioner is decided, the effect and operation of the impugned order shall remain stayed so far as it relates to the petitioner.
6. With the above observations, this writ petition stands finally disposed of.

Sd/-

**GOUTAM BHADURI
JUDGE**