

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8697 of 2019

Raman Prasad Gandharva S/o Late Ramkishun Gandharva Aged
About 49 Years Presently Working As Pharmacist Grade-2 At
Govt. Hospital Durg, District Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.
2. Director Directorate, Health Services, Indrawati Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.
3. Chief Medical And Health Officer Durg, District Durg, Chhattisgarh.
4. Civil Surgeon Cum Hospital Superintendent, District Hospital Durg, District Durg, Chhattisgarh.

----Respondents

For petitioner – Shri C. Jayant K. Rao, Advocate.
For State- Smt. Deepti Shukla, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/10/2019

1. Grievance of the petitioner is that the petitioner is working as Pharmacist in District Hospital, Durg and he has been transferred to Primary Health Center, Churri, Block Katghora, District Korba by order dated 23/08/2019. It is contended that cadre of the petitioner is division cadre and seniority is also maintained in the division level and with the transfer to the District Korba seniority of the petitioner shall be affected which would be evident from the communication Annexure P-2 dated 11/09/2019 sent by the civil surgeon and transfer order also purports that on transfer if seniority is disturbed, then transferred employee may opt to remain in the place where he was working.
2. Perused the transfer order Annexure P-1 dated 23/08/2019 as also recommendation of the Civil Surgeon of the District Hospital, Durg wherein

recommendation has been made that on transfer of the petitioner his seniority will be affected. Considering the fact, it is directed that the petitioner shall make a representation within a period of 15 days from today to the concerned respondent. If such representation is filed, same may be decided within a further period of 45 days. Till then the transfer order dated 23/08/2019 in respect of the petitioner shall not be given effect to.

3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE