

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8948 of 2019

Nikhil Kumar Bansal S/o P.M. Bansal, Aged About 36 Years Occupation Insurance Medical Officer At Karmachari Rajya Bima Sewaye, Siltara, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh --- **Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Labour Department, Mantralaya, Mahanadi Bhawan, Capital Complex, Atal Nagar, Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Additional Secretary, State of Chhattisgarh, Labour Department, Atal Nagar, Raipur, District Raipur Chhattisgarh.
3. Dr. Vijay Kumar Sandilya, Insurance Medical Officer, Karmachari Rajya Bima Sewaye, Hirni, District Balodabazar Bhatapara District : Balodabazar-Bhatapara, Chhattisgarh --- **Respondents**

For the Petitioner : Mr. Awadh Tripathi, Advocate

For the State : Mr. Akanksha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05-11-2019

Heard.

1. The petitioner who is working as a Medical Officer in Employees State Insurance Services, Siltara, District Raipur has been transferred to Hirni, Distt. Balouda Bazar on administrative ground vide order dated 14.08.2019 which is under challenge.
2. The case of the petitioner is that his father has undergone by-pass heart surgery and he needs constant treatment and day-to-day attention of the petitioner.
3. It is further submitted that three posts have been sanctioned and even if respondent no.3 Dr. Vijay Kumar has been transferred in

place of petitioner, apart from from this, one post further would be vacant at the present place of working. Therefore, the petitioner has made a representation to respondent no.1 which may be considered and till the representation is decided, he may not be forced to join at the place of posting.

4. Perused the transfer order as also the medical documents.
5. It appears that though the petitioner was transferred to Siltara Center, Raipur in the year 2016 but he joined there in June 2017 as such three years have not yet been completed at the present place of working.
6. Considering the facts situation of the case, the petitioner is given liberty to make a fresh representation to the concerned respondents raising all his grievances within a period of 15 days including the ground of medical treatment of his father and on such a representation being filed, the same shall be considered and decided within a further period of 45 days.
7. It is further directed that the petitioner shall not be forced to join the new place of posting till the representation is decided.
8. This writ petition accordingly stands disposed off.

**Sd/-
GOUTAM BHADURI
JUDGE**