

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9355 of 2019**

- Mary Josephine Minj, D/o Shri L.T. Minj Aged About 41 Years, Working As Auxiliary Nurse Midwifery, Sub Health Center, Kerju, Block Sitapur, District Surguja, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Health And Family Welfare Department, Mantralaya, Atal Nagar, New Raipur, Chhattisgarh.
2. The Chief Medical And Health Officer Surguja, Ambikapur, District Surguja, Chhattisgarh.
3. The Block Medical Officer Community Health Center, Sitapur, District Surguja, Chhattisgarh.
4. Smt. Neera Lakra Working As A.N.M. Sub Health Center Supkona, Block Dharamjaigarh, District Raigarh, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Himanshu Sinha, Advocate
For Respondents/ State	:	Shri Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****18/11/2019**

1. The grievance of the petitioner is that the petitioner is a Auxiliary Nurse Midwife and her services has been transferred from Sub Health Center, Kerju, Block Sitapur to Sub-Health Center, Chainpur, District Surguja.
2. It is contended that the transfer of the petitioner is done to accommodate Smt. Neera Lakra (Respondent No. 4). He further contends that name of the petitioner appears at Serial No. 43 and the remark column shows that the transfer has been done on her own accord. Learned counsel for the

petitioner submits that the petitioner has never made an application for transfer to any place and the remark column has been wrongly written that the petitioner has sought for voluntary transfer and to accommodate one, one cannot be transferred to another place. It is further contended that the said transfer is against the transfer policy which mandate that the transfer of Class III & IV can be done by the Collector after approval of the concerned incharge minister and in the instant case the transfer has been done without any recommendation of the minister.

3. Perusal of the transfer order shows that the Respondent No. 4 has been transferred on her own accord and the petitioner has been transferred on administrative ground.
4. Considering the grievance raised by the petitioner, the petitioner will be at liberty to make a representation to Grievance Redressal Committee within 15 days from today. The representation so made shall be decided within a further period of 45 days, if the transfer order of the petitioner has not been given effect to till date, the same may be stayed till the representation is decided.
5. Accordingly, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge