

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9553 of 2019

Smt. Suniti Dhruw W/o Shri Mahesh Markam, Aged About 40 Years R/o House No. 7, Housing Board Colony, Police Line, Raipur, District Raipur Chhattisgarh. **--- Petitioner**

Versus

1. State of Chhattisgarh through Secretary, Department of Health and Family Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Chief Medical And Health Officer, Raipur, District Raipur District : Raipur, Chhattisgarh
3. Block Medical Officer, Block Aarang, District Raipur District : Raipur, Chhattisgarh **--- Respondents**

For the Petitioner : Mr. Dhiraj Kumar Wankhede, Advocate

For the Respondents : Mrs. Deepti Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21-11-2019

1. The grievance of the petitioner is that she was initially appointed to the Post of Female Health worker which is a Class IV Post and and her seniority is maintained at the District Level. It is contended that the petitioner has been transferred from Sub Health Center, Chicha Block Arang, Distt. Raipur to Primary Health Center Rasela, Vikas Khand Chhura, Distt. Gariaband on administrative ground vide order dated 23.08.2019 which is under challenge in this petition.
2. Learned counsel for the petitioner submits that the seniority and promotion is maintained at District Level and because of such transfer outside the district, the seniority of the petitioner would

get adversely affected, consequently the transfer would be prejudicial to her. It is further submitted that the husband of the petitioner is working at Raipur and the son of the petitioner is studying in Class II in Central School and as per the Policy of the State, as far as practicable the husband and wife both are kept at the same place, therefore the transfer may be cancelled.

3. Considering the submission made that the petitioner belongs to District Cadre and her seniority of the petitioner would be affected if she is transferred to the other District, the petitioner is granted liberty to file a fresh representation before respondent No.1 raising all her grievances within a period of two weeks from the date of receipt of this order and on such representation being filed, the same shall be considered and decided within a further period of 60 days.
4. In the meanwhile, the the transfer order dt.23.08.2019 (Annexure P-1) so far as it relates to the petitioner shall not be given effect to till the representation of the petitioner is decided.
5. This writ petition accordingly stands disposed off.

**Sd/-
GOUTAM BHADURI
JUDGE**