

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 9709 of 2019**

Kumari Naina Thakkar, D/o. Late Jitendra Kumar Thakkar, Aged About 42 Years, Presently Working As Rural Health Coordinator (Female), Posted At Sub Health Centre Paragaon Khurd, Block Dongargarh, District Rajnandgaon, Chhattisgarh.

**---- Petitioner****Versus**

1. State Of Chhattisgarh, Through The Secretary, Health And Family Welfare Department, Mahanadi Bhavan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.
2. The Director, Health Services, Chhattisgarh, Raipur, District Raipur, Chhattisgarh.
3. State Of Chhattisgarh, Through Secretary, Department Of General Administration And Coordinators Committee Of Senior Secretaries, Mahanadi Bhavan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.
4. The Collector, Rajnandgaon, District Rajnandgaon, Chhattisgarh.
5. The Chief Medical And Health Officer, District Rajnandgaon, Chhattisgarh.
6. Block Medical Officer/ Community Health Centre, Block Dongargarh, District Rajnandgaon, Chhattisgarh.

**---- Respondents**


---

|                |   |                                 |
|----------------|---|---------------------------------|
| For Petitioner | : | Mr. Abhishek Sharma, Advocate   |
| For State      | : | Mr. Avinash Singh, Panel Lawyer |

---

**Hon'ble Shri Justice Goutam Bhaduri****Order On Board****25.11.2019**

Heard

1. This is the second round of litigation. The petitioner was transferred on 12.07.2019 from Sub Health Centre, Paragaon Khurd, Block Dongargarh, District Rajnandgaon to Sub Health Centre Nawagaon, Block Manpur, District Rajnandgaon. The said transfer order was subject of challenged in WPS No.7667 of 2019 and this Court on 18.09.2019 has passed the following orders:

“2. Without entering into the merits of the case, the counsel for the petitioner wants that the petitioner may

be permitted to make a representation to the respondents raising the objections and grievances on her being transferred and the respondents in turn may decide the same as expeditiously as possible.

3. Not opposed.

4. Accordingly, the instant Writ Petition stands disposed off with liberty to the petitioner, if she so chooses, may prefer a detailed representation to the respondents, which in turn considering the fact that, it is a case of transfer, the respondents may decide it as expeditiously as possible, preferably within a period of 30 days from the date of receipt of certified copy of this order.”

2. Learned counsel for the petitioner submits that after passing of the aforesaid order, the representation of the petitioner has not been decided; however, the representation which was decided on 01.10.2019 was the earlier representation.
3. The ground urged by the petitioner appears to have been taken care by the Grievance Redressal Committee and after going through the order dated 01.10.2019, it appears that the grounds which has been urged has been considered. In the earlier round too, no protection order was passed in favour of the petitioner. Considering the same, on the ground on which the representation has been rejected, I do not find any illegality in the order. The transfer being the incident of service, it is the State Government which would decide whether the particular person has to be placed or posted, unless and until the transfer shock the conscience of Court for any reason of illegality or arbitrariness. Normally the interference of the Court is not called for unless facts are shown otherwise. Accordingly, the petition is dismissed.

Sd/-  
**Goutam Bhaduri**  
**Judge**