

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 585 of 2019**

*{Arising out of order dated 14.11.2019 passed by the learned Single Judge in Writ
Petition (S) No. 9265 of 2019}*

- Smt. Poornima Tandon W/o Shri Aganu Das Tandon Aged About 43 Years Rural Health Coordinator (Female), Sub-Health Centre Kharora, Kharora, District Raipur, Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh Through Secretary, Health and Family Welfare Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.
2. Director, Directorate of Medical and Health Services, Indravati Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh
3. Chief Medical and Health Officer Raipur, District Raipur Chhattisgarh
4. Collector Raipur, District Raipur Chhattisgarh
5. Block Medical Officer Block Public Health Center, Tilda-Nevra, District Raipur, Chhattisgarh
6. Smt. Sandhya Mowle Rural Health Coordinator (Female), Sub Health Centre Kharora, District Raipur Chhattisgarh

---- Respondents

For Appellant	:	Ms. Meena Shastri, Advocate.
For Respondent/State	:	Shri Sudeep Agrawal, Deputy Advocate General.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Justice Parth Prateem Sahu, Judge

Judgment on Board

Per P. R. Ramachandra Menon, Chief Justice

10.12.2019

1. Grievance of the Appellant is mainly with regard to the course of action pursued by the learned Single Judge, whereby interference was declined with regard to the transfer of the Petitioner.
2. Heard Ms. Meena Shastri, the learned counsel appearing for the Appellant as well as Shri Sudeep Agrawal, the learned Deputy Advocate General appearing on behalf of the State.
3. The gist of the grievance projected before this Court is that the Petitioner is working as a Rural Health Coordination (Female), Sub-Health Centre Kharora, Kharora in Raipur District. On 12.07.2019, she was transferred to Sub-Health Centre, Khorpa, Block Abhanpur, District Raipur, against which a representation was preferred on 25.07.2019 before the committee constituted for considering the grievance in connection with the transfer.
4. Simultaneously, Petitioner move this Court as well by filing Writ Petition (S) No. 9265 of 2019, where interference was declined and the writ petition came to be dismissed as per Annexure A/1 dated 14.11.2019 passed by the learned Single Judge. The learned counsel for the Appellant points out that after dismissing the writ petition the Appellant was informed as per Annexure A/2 dated 20.11.2019 that the representation preferred by the Appellant before the committee was considered and as per proceedings dated 30.10.2019, the transfer which was subjected to challenge was set aside. The Petitioner was set at liberty to occupy the post which she was already holding at the time of transfer. A copy of the said order is produced before this Court as part of Annexure A/2. The

Petitioner has preferred a representation vide Annexure A/3 dated 23.11.2019 before the Respondents No. 1 and 2 to implement it, which is still to be acted upon and hence the grievance.

5. After hearing, we are of the view that the transfer order dated 12.07.2019 having being interdicted by the committee, as per the proceedings dated 30.10.2019, it is to be given effect to.
6. In the said circumstances, we make it clear that the dismissal of the Writ Petition (S) No. 9265 of 2019 will not stand in the way of the Respondents in considering Annexure A/3 representation preferred by the Petitioner and to pass appropriate orders giving posting to the Appellant herein, which exercise shall be completed as expeditiously as possible at any rate within 'two weeks' from date of receipt of a copy of this judgment. The Appellant is required to produce a copy of judgment alongwith a copy of the writ appeal before the Respondents No. 1 and 2 for further steps.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge