

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10481 of 2019

Smt. Sita Dhurve W/o Ram Khilawan Dhurve Aged About 49 Years R/o Ward No. 11, Near Chandi Mandir, Dongargarh, District- Rajnandgaon, Chhattisgarh. **--- Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Health and Family Welfare Department, Mantralaya, Atal Nagar, Nawa Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Collector District- Rajnandgaon, District : Rajnandgaon, Chhattisgarh
3. The Chief Medical and Health Officer Rajnandgaon, District Rajnandgaon, Chhattisgarh.
4. The Grievance Redressal Committee Through Its Principal Secretary, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District : Raipur, Chhattisgarh **---- Respondents**

For the Petitioner : Mr. Anurag Khatri, Advocate

For the State/Respondents : Mr. Ravish Verma, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11-12-2019

1. The grievance of the petitioner is that she is working as Rural Health Coordinator (Woman) and vide order dated 12.07.2019, she has been transferred from Primary Health Centre, Ramtola, Vikas Khand Dongargarh, Rajnandgaon to Sub-Health Center Khebha, Community Health Center, Chhuriya, Distt. Rajnandgaon. Against the said transfer, she has filed WPS No.5630 of 2019 wherein this Court has passed the following order :

“2. Perused the documents. Annexure P-2 the Certificate issued by the Kendriya Vidyalaya, Dongargarh shows that the husband of the petitioner is working in Central School, Dongargarh.

3. Considering the Clause 1.10 of the Policy, the petitioner shall be at liberty to file a detailed representation to the transfer Redressal Committee within 15 days and on such

representation being filed, the same shall be considered and decided within a further period of 45 days.”

2. Learned counsel for the petitioner submits that thereafter the representation was submitted on the ground that husband of the petitioner is posted in central School, Dongargarh wherein her daughter also studying, but the said representation has been rejected.
3. Annexure P-1 whereby the representation has been rejected shows that the Collector has accorded his consent in favour of the petitioner but despite that, the Committee has held that the transfer of petitioner was on administrative ground and the Transfer Policy of the year 2019 has not been found to be violated and thus rejected the representation.
4. It appears that in earlier round of litigation, while the representation was directed to be decided and no stay was granted in favour of the petitioner. Subsequently the representation having been made, the Grievance Reddressal Committee has rejected the representation on administrative ground.
5. Learned State Counsel submits that as per the instructions received, the distance between Dongargarh to Churiya is at the most 40-45 Kms.
6. Transfer which is an incidence of service is not to be interfered with by Courts unless it is shown to be clearly arbitrary or visited by mala-fide or infraction of any prescribed norms of principles governing the policy of transfer. Therefore, I do not find any reason to interfere with the order whereby the representation of the petitioner has been rejected.
7. With the aforesaid direction, the writ petition stands disposed of.

Sd/-

**GOUTAM BHADURI
JUDGE**