

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10564 of 2019

Smt. Rameshwari W/o Shri Bhola Ram Shyam, Aged About 27 Years
Working As 2nd A.N.M. At Sub Health Center Balangi, Community Health
Center, Wadraf Nagar, District Balrampur Chhattisgarh.
--- **Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Department of Health and Family Welfare, Mahanadi Bhawan, Atal Nagar, New Raipur District : Raipur, Chhattisgarh
2. Chief Medical and Health Officer, Balrampur, District Balrampur Chhattisgarh.
--- **Respondents**

For the Petitioner : Mr. Somkant Verma, Advocate

For the State/Respondents : Mrs. Richa Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13-12-2019

1. Learned counsel for the petitioner submits that the petitioner who is working as A.N.M. At Sub-Health Center, Balangi Community Health Center, Wadraf Nagar, District Balrampur has moved an application for her transfer to the place where her husband is working i.e., Community Health Center, Premnagar, District Surajpur. By order of Director, Department of Health, Family Welfare, dated 16.10.2019 the petitioner was allowed to join at Community Health Center, Prem Nagar, District Surajpur. It is stated that despite such order is passed, the Chief Medical and Health Officer, Balrampur, respondent no.2 herein, is not obeying such order. Therefore, the application has been filed as Annexure P-2 to respondent No.2 to comply with such order passed by the higher authority
2. A perusal of Annexure P-2 would show that an application was filed by the petitioner to comply the order passed by the Director on 16.09.2019. It is

for respondents no.2 to pass the order thereon. Primarily it shows that the order which has been passed by the Director Health, has not been complied with by the C.M.O., Balrampur. If the orders are not complied then the Director Health would be at liberty to take an administration action against respondent No.2 who is subordinate to him. Therefore, it would not be appropriate for this Court to step into the shoes of the higher officer and pass an order. The Director Health and Family Welfare is the competent authority who has to ensure that his orders are followed.

3. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-
GOUTAM BHADURI
JUDGE**