

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 407 of 2020**

- Dr. Vishnu Dutt S/o Shri Tekram Dutt Aged About 60 Years Dean, Presently Posted In The Office Of Directorate Medical Education, Raipur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through - The Secretary, Health Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, District - Raipur Chhattisgarh
2. The Director Medical Education Old Nurses Hostel, D. K. S. Campus Raipur Chhattisgarh

---- Respondents

For Petitioner : Shri Prafull N. Bharat, Advocate

For Respondents/ State : Shri Amrito Das, Addl A.G.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****20/01/2020**

1. Heard.
2. The grievance of the petitioner is that the petitioner was initially promoted as a Dean on 16.06.2015 and appointed at Bilaspur subsequently on 05.02.2019 he was transferred as Dean to Government Medical College, Ambikapur wherein he joined. Subsequently again by order dated 04.11.2019 the petitioner has been transferred to the Office of Directorate Medical Education. It is stated that if the petitioner is holding the post of Dean and there is no equivalent post of Dean in Director Medical Raipur, therefore, the petitioner cannot be directed to work lower than his cadre. It is stated that this fact has been fortified later wherein the salary of the petitioner has been directed to be drawn from the post of Dean Chhattisgarh

Ayurvigyan Sansthan, Bilaspur. It is stated that the petitioner has been relieved and has joined Raipur. The limited prayer of the petitioner is that the petitioner may be posted any where in the post of Dean or equivalent post and the post cannot be lowered down. It is further contended that the petitioner has already made a representation dated 10.12.2019 (Annexure P-17) however the same is being kept at abeyance and no decision is being taken.

3. Considering the fact and the document attached with the petition and perusal of Annexure P-3 letter addressed to Director Health, the State is directed to decide the representation of the petitioner (Annexure P- 17) within a period of 45 days from the date of receipt of a copy of this order.
4. With the aforesaid observation, the petition stands disposed of. However, the petitioner would be at liberty to approach this Court again if cause of action arises in future.

Sd/-

Goutam Bhaduri
Judge

Jyoti