

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3974 of 2020**

- Dr. S N Jangde S/o Late C R Jangde Aged About 61 Years Parmanent R/o Ward No. 17, Chandaniya Para , Police Station And Tahsil Janjgir , District Janjgir Champa Chhattisgarh. Presently Working As Block Medical Officer , Block Akaltara , District Janjgir Champa Chhattisgarh. Presently Residing At Staff Quarters , Community Health Centre, Akaltara, District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Health And Family Welfare , Mahanadi Bhawan, Atal Nagar , Nava Raipur , District Raipur Chhattisgarh.
2. Commissioner Health Services Chhattisgarh, Indravati Bhawan, Atal Nagar, Nava Raipur, District Raipur Chhattisgarh
3. Director Health Services Chhattisgarh Indravati Bhawan, Atal Nagar , Nava Raipur , District Raipur Chhattisgarh
4. Jaiprakash Chandra Medical Officer, District Hospital, Gariyabandh, District Gariyabandh Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ravindra Sharma, Advocate
For State	:	Ms. Akansha Jain, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****07.10.2020**

1. Heard
2. The challenge in the present writ petition is to the order dated 23.09.2020 wherein the petitioner has been transferred from Community Health Centre Akaltara Distt. Janjgir Champa to District Hospital, Jashpur on the administrative ground.

- 3.** Learned counsel for the petitioner submits that the petitioner is subjected to frequent transfers as the petitioner was earlier transferred to Baloda Distt. Janjgir Champa in the year 2015, thereafter he was transferred to Saja Distt. Bemetara in the year 2016 which was cancelled by Annexure P/2 and thereafter the petitioner was again transferred and posted at Community Health Centre Akaltara Distt. Janjgir Champa by Annexure P/4 dated 19.08.2019 and within a short span of time the petitioner has now again been transferred on 23.09.2020 (Annexure P/1) to District Hospital Jashpur.
- 4.** Learned State counsel opposes the submission made by learned counsel for the petitioner and submits that the petitioner has worked within the Distt. Janjgir Champa and was stationed at Distt. Janjgir Champa itself therefore no substantial change of place has been caused to the petitioner by the transfer.
- 5.** Perused the documents. Perusal of the documents filed along with this petition shows that the petitioner while was posted at Community Health Centre Baloda Distt. Janjgir Champa was transferred to Community Health Centre Saja District. Bemetara against which the petitioner had made a representation. The said representation was considered and the transfer of the petitioner to Saja Distt. Bemetara was recommended for cancellation. The order of the High Power Committee reflects that the petitioner has been posted at Distt. Janjgir Champa since year 2014 thereafter he was posted at many places within the district and by Annexure P/4 dated 19.08.2019, the petitioner was posted at

Akaltara Distt. Janjgir Champa. It also appears that the petitioner, for the first time, has been placed outside the Distt. Janjgir Champa by impugned order dated 23.09.2020 (Annexure P/1) as otherwise in the earlier point of time he has worked at Bamhneedi, Baloda and Akaltara which falls within same district.

6. Considering the fact that the petitioner appears to be posted within the district Janjgir Champa from the year 2014, and when the transfers were made within the same district it cannot be said to have cause prejudice with change of place causing substantial inconvenience to the petitioner.
7. It is a well settled law that the transfer of a Government Servant appointed to a particular cadre of transferable post from one place to the another is an incident of service, which cannot lightly 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. No Government servant or employee of Public undertaking has legal right for being posted at any particular place.
8. In view of the above settled factual and legal position, I do not find any merit in this writ petition. Accordingly, this writ petition stands dismissed.

Sd/-

(Goutam Bhaduri)
Judge