

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 271 of 2021**

[Arising out of order dated 02.9.2021 passed by the learned Single Judge in WPS No.4616 of 2021]

- S.O. Nashine S/o Omprakash Nashine Aged About 60 Years Working As Homeopathy Medical Officer, Government Homeopathy Hospital, Balod, District- Balod (Chhattisgarh)

---- Appellant**Versus**

1. State Of Chhattisgarh Through The Secretary, Medical Education (AYUSH), Department, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Nawa Raipur, District - Raipur (Chhattisgarh)
2. The Director, Ayurved, Yog And Natural Medical, Unani Siddha And Homeopathy (AYUSH) Raipur, Chhattisgarh
3. The Collector, Balod, District Balod, Chhattisgarh
4. The District Ayurved Officer, Balod, District Balod, Chhattisgarh
5. Dr. Kaleshwari Sonwani, Working As Homeopathy Medical Officer, Govt. Ayush Polytechnic, Dantewada, District Dantewada, Chhattisgarh

---- Respondents

For Appellant	:-	Mr. Goutam Khetrapal, Advocate
For Respondent-State	:-	Mr. Chandresh Shrivastava, Dy.A.G

Hon'ble Shri Prashant Kumar Mishra, Ag. CJ
Hon'ble Smt Rajani Dubey, J
Judgment On Board

By

Prashant Kumar Mishra, Ag.CJ

13/09/2021

1. Heard.
2. Learned counsel for the appellant submits that the appellant, aged about 60 years has been transferred from Balod which is a scheduled area, to Dantewada which is a core scheduled area. He would submit that learned Single Judge has allowed the appellant to make representation which shall be decided at the earliest preferably within a period of 45 days, but in the meanwhile, if transfer order is executed, the representation shall be rendered infructuous. He would submit that considering the age of the appellant, at least the operation of the transfer order be stayed during pendency of the representation.
3. Having considered the submission and also considering the fact that appellant is at fag-end of his service carrier, it is directed that until representation is decided in accordance with law, there shall be status quo, as it exists today, in respect of appellant's posting.
4. With the aforesaid observations, the present writ appeal stands disposed of.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-
(Rajani Dubey)
Judge

Ayushi