

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6279 of 2021

- Vishnu Prasad Patel S/o Shri Bhuneshwar Prasad Patel Aged About 60 Years
Occupation -Service Working As Ward Boy, Government Primary Health
Center Chaple, District Raigarh, R/o -Village - Chaple, Tahsil-Kharsiya, District
Raigarh Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Family Welfare
And Health, Mahanadi Bhawan, Naya Raipur, District -Raipour Chhattisgarh.
2. Director, Directorate Of Health, Indirawati Bhawan Atal Nagar, Naya Raipur
Chhattisgarh.
3. Chief Medical And Health Officer District Raigarh Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Vinay Pandey, Advocate
For Respondent/ State	:	Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15.11.2021

Heard.

1. Learned counsel for the petitioner submits that the petitioner who is aged about 60 years was working in the Government Primary Health Center Raigarh and now he has been transferred to the Government Primary Health Center Dharamjaygarh. He submits that the petitioner is due to retire within 2 years and at the fag end of his service, he may not be transferred as it also attracts to occupational hazard and the medical ailment as the petitioner is suffering a lot. He further submits that the petitioner may be given liberty to make a representation to reconsider his transfer.

2. Learned State counsel opposes the submission.
3. Perused the order dated 11.06.2021 (Annexure P/1). It is contended during the submission that the petitioner has not joined the place of transfer because of his age and further ailment. Taking into such fact that the petitioner is 60 years of age and is going to retire within two years, it is directed that the petitioner may file a representation against his transfer with the Chief Medical and Health Officer Distt. Raigarh i.e. respondent No. 3 within a period of three weeks enclosing all the necessary documents and may state the grounds. If such representation is filed before the respondent No. 3, then the same would be considered by the respondent No. 3 within a further period of 30 days from the date of receipt of such representation in accordance with law and the policy.
4. In the meanwhile, till such representation is made and decided within such outer limit as has been stated *supra*, it is directed that no coercive steps shall be taken against the petitioner.
5. With the aforesaid observation/ direction, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge