CGHC010386482026 2026:CGHC:42954

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7262 of 2026

Dr. Ravikant Das S/o Shri Khelon Das Aged About 54 Years Presently Working As Professor And Head Department Of Orthopedics, Pt. J.N.M. Medical College, Raipur, Distt- Raipur (C.G.)

... Petitioner(s)

JYOTI SHARMA
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versus

1. State Of Chhattisgarh Through Secretary, Department Of Medical Education Mahanadi Bhawan, Nava Raipur, Atal Nagar, Distt- Raipur (C.G.)

2. Director, Directorate Of Medical Education North Block Sector- 19, Swasthya Bhawan 2nd Floor, Nava Raipur, Atal Nagar, Distt- Raipur (C.G.)

3. Pt. Jawaharlal Nehru Medical College, Through Dean Office Of Dean, Jail Road Raipur, Distt- Raipur (C.G.)

4. National Medical Commission Of India Through Its Secretary, Pocket-14, Sector 8, Dwarka Phase I, New Delhi.

... Respondent(s)

For Petitioner	: Mr. Prasoon Agrawal, Advocate
For Respondent/ State	: Mr. S.S. Badgaiya, G.A.
For Respondent No. 4	: Mr. Jitendra Nath Nande, Advocate

Hon’ble Shri Bibhu Datta Guru, Judge

Order on Board

05/10/2026

1. Learned counsel appearing for the petitioner submits that an earlier writ petition bearing WPS No. 6949 of 2026 was disposed of by this Court vide order dated 23.09.2026. In the said writ petition, the petitioner had challenged the order dated 03.09.2026, whereby the petitioner was transferred from the Department of Orthopaedics, Pt. J.N.M. Medical College, Raipur to Government Medical College and Associated Hospital, Korba. The said writ petition was disposed off with direction to the petitioner to pursue his representation and the competent authority was directed to consider and decide the same in accordance with law and on its own merits.

2. Learned counsel for the petitioner further submits that the present writ petition has been filed on the ground that although the representation submitted by the petitioner pursuant to the order passed in the earlier writ petition is still pending consideration, the petitioner has been relieved vide order dated 24.09.2026 with a direction to join at the transferred place. It is further submitted that the petitioner is, in substance, again questioning the same order of transfer dated 03.09.2026 which had already been assailed in the earlier writ petition along with the impugned relieving order.

3. Per contra, learned State counsel submits that the order passed in WPS No. 6949 of 2026 on 23.09.2026 was communicated to respondent No. 1 only on 25.09.2026, whereas the impugned relieving order had already been issued on 24.09.2026. It is further submitted that, by the earlier order, this Court had merely

directed the competent authority to consider and decide the representation submitted by the petitioner. No interim order was granted in favour of the petitioner, nor was any specific time limit prescribed for disposal of the representation. Therefore, according to the learned State counsel, the present writ petition is not maintainable, particularly when the impugned relieving order had been passed prior to communication of the order dated 23.09.2026.

4. I have heard learned counsel for the parties and perused the material available on record.

5. From a perusal of the record, it is evident that the impugned order of relieving was issued on 24.09.2026. The pleadings further disclose that the earlier writ petition, bearing WPS No. 6949 of 2026, was directed against the order of transfer dated 03.09.2026, whereby the petitioner was transferred from the Department of Orthopaedics, Pt. J.N.M. Medical College, Raipur to Government Medical College and Associated Hospital, Korba. The present writ petition also seeks to question the said order of transfer, and the principal grievance raised by the petitioner is that he has been relieved pursuant to the said transfer order without his pending representation having been decided and allegedly without compliance with the directions issued by this Court in the earlier writ petition.

6. However, a perusal of the order dated 23.09.2026 passed in WPS No. 6949 of 2026 shows that this Court had only directed the

competent authority to consider the representation submitted by the petitioner. No order restraining the respondents from giving effect to the transfer order was passed, nor was any interim protection granted in favour of the petitioner. Further, no specific period was prescribed by this Court for deciding the representation.

7. In such circumstances, merely because the petitioner has subsequently been relieved pursuant to the order of transfer, the same cannot constitute a fresh cause of action for filing another writ petition, particularly when the very order of transfer dated 03.09.2026 has already been the subject matter of challenge in the earlier writ petition.

8. In view of the aforesaid discussion, this Court is of the considered view that the present writ petition, insofar as it seeks to reagitate the validity of the transfer order dated 03.09.2026 on substantially the same grounds, is not permissible and maintainable.

9. Accordingly, the present writ petition is **dismissed**.

SD/-
(Bibhu Datta Guru)

JUDGE

Jyoti