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(2019) 09 CHH CK 0153

Chhattisgarh High Court

Case No: Writ Petition (S) No. 7758 Of 2019

Sanjay Kumar Mishra

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

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Date of Decision: Sept. 25, 2019

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Prafull N. Bharat, Abhyunnati Singh

Final Decision: Disposed Of

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Judgement

P. Sam Koshy, J

1. Challenge in the present writ petition is to the order dated 23.8.2019 (Annexure P-1) whereby the petitioner has been transferred from the Office of

Chief Medical & Health Officer, Bilaspur to Primary Health Centre, Dabhra, District Janjgir-Champa.

2. The ground of challenge is that the petitioner's daughter who is just 10 years old is suffering from Congenital Heart Disease and she needs to go

undergo a surgery, as is evident from Annexure P-2 issued by the Apollo Hospitals, Bilaspur, and for which appropriate steps are being taken and the

Government also has ordered for releasing the funds required for the medical expenditure. Under the circumstances, transferring the petitioner may

have an adverse impact on the health of the daughter of the petitioner.

3. Given the said facts, let the petitioner within 10 days from today make an appropriate representation to the respondent-State which in turn shall be

considered and decided by the respondent sympathetically taking into consideration the health of the daughter of the petitioner, as expeditiously as

possible, preferably within a period of 45 days from the date of receipt of representation.

4. Till the representation is decided, the effect and operation of the impugned order of transfer (Annexure P-1) shall remain stayed so far as the petitioner is concerned.

5. With the aforesaid, the writ petition stands disposed of.