



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 434 of 2026

1 - Purushottam Kunwar S/o Khageshwar Kunwar Aged About 43 Years
Presently Working As Lab Technician, District Hospital Jashpur, District Jashpur
(C.G.)

... Petitioner

Versus

1 - State Of Chhattisgarh Through The Secretary, Health And Family Welfare
Department, Mantralaya, Atal Nagar Nava Raipur, District Raipur (C.G.)

2 - Commissioner Cum Director Health Services, Indrawati Bhawan, Atal Nagar
Nava Raipur, District Raipur (C.G.)

3 - Collector Jashpur District Jashpur (C.G.)

4 - Divisional Joint Director Health Services Surguja Division - Ambikapur (C.G.)

5 - Chief Medical And Health Officer Jashpur, District Jashpur (C.G.)

... Respondents

Order Sheet

20/01/2026	Mr. C.J.K. Rao, Advocate for the Petitioner. Ms. Anuja Sharma, Dy. Government Advocate for the Respondents/State.



	Issue notice to the respondents. Ms. Anuja Sharma, Dy. Government Advocate accepts notice on behalf of the Respondents/State. Hence, no process fee is required to be paid for these respondents. Learned counsel for the Respondent/State prays for and is granted 03 weeks time to file reply. Also heard on I.A. No. 01/2026 which is an application for grant of interim relief. Learned counsel for the petitioner submits that petitioner is working on the post of Medical Lab Technologist and is posted at District Hospital Jashpur. Respondent No. 3/Collector has passed an order of transfer of the petitioner dated 30.06.2025 from District Hospital Jashpur to Primary Health Centre, Kaliya, Block – Bagicha on administrative grounds. He further submits that the Respondent No. 3/Collector is having no authority under the law to pass the impugned order of transfer of the petitioner who is a divisional level employee and further, he contended that at the transferred place of posting, post of Lab Technologist is not vacant and therefore also, the impugned transfer order dated 30.06.2025 is bad in law. On the other hand, submission of counsel for the petitioner is opposed by the counsel for Respondents/State and would submit that as per Clause 1.2 of the Transfer Policy, Collector is having an authority to transfer the employee within a district after approval of the Incharge Minister and in this case, approval has been obtained by the Collector from the Incharge Minister of District – Jashpur. With respect to the second point raised by the counsel for Respondent/State, she submits that she has sought instructions pursuant to the observation made by this Court on the last date of hearing and according to her instructions, post
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of Lab Technologist in the Primary Health Centre Kaliya, Block – Bagicha is not vacant as some other employee is already working.

I have heard learned counsel for the parties and perused the documents enclosed along with the writ petition.

On due consideration of the submission of learned counsel for the parties, facts and circumstances of the case and documents enclosed along with the writ petition, purely as an interim measure, it is directed that the effect and operation of the impugned order dated 30.06.2025 (Annexure P/1) shall remain stayed till the next date of hearing.

List this case in the month of March, 2026.

Sd/-
(Parth Prateem Sahu)
Judge

Dey