



2026:CGHC:3193

NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

### WPS No. 470 of 2026

1 - Smt. Arti Tirkey W/o Ajay Pratap Tigga Aged About 37 Years Presently Working As Staff Nurse, Community Health Center Kunkuri, 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

---

For Petitioner : Mr. C.J.K. Rao, Advocate

For Respondents/State : Ms. Anuja Sharma, Dy. Government Advocate

---

**SB: Hon'ble Shri Parth Prateem Sahu, Judge**

### ORDER ON BOARD

**20/01/2026**

1. The petitioner has filed this writ petition seeking following reliefs:-

*"10.1 That, the Hon'ble Court may kindly be pleased to issue a writ of mandamus setting-aside the order dated 09.09.2025 (Annexure P/1) and the order of recommendation dated 01.09.2025 (Annexure P/2).*

*10.2 That, this Hon'ble Court may kindly be pleased to set-aside the order dated 30.06.2025 (Annexure P/3) whereby, the services of the petitioner has been transferred to Primary Health Centre Sulesa, Block – Bagicha, District – Jashpur.*

*10.3 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to allow the petitioner to work at the present place i.e. Community Health Center, Kunkuri.*

*10.4 That, this Hon'ble Court may kindly be pleased to grant any other relief as it may deem fit and appropriate.”*

2. Learned counsel for the petitioner submits that petitioner is working on the post of Staff Nurse and is posted at Community Health Center, Kunkuri, District - Jashpur. He submits that the Respondent No. 3/Collector has passed an order of transfer of the petitioner dated 30.06.2025 (Annexure P/3) transferring her from Community Health Center, Kunkuri to Primary Health Centre, Sulesa, Block – Bagicha on administrative grounds. He submits that the petitioner is holding the post of Staff Nurse which is a Divisional Level Cadre post and therefore, the District Collector is having no authority under the law to transfer the petitioner from one hospital to another. He contended that specific grounds have been raised by the petitioner in her representation, however, the Committee constituted under the Transfer Policy, 2025 has not considered the said ground in an objective manner, but have dismissed the representation in a mechanical manner.
3. On the other hand, learned counsel for the Respondents/State submits that the ground as raised by the petitioner is not correct. Under Clause 1.2 of the Transfer Policy, 2025, it has been specifically provided that the Collector can transfer the employee posted in the district in any other office within the district, after receipt of the proposal from the department and approval of the Incharge Minister. From perusal of the impugned order dated 30.06.2025 (Annexure P/3), it is appearing that the approval

of the Incharge Minister has been obtained by the Respondent No. 3/Collector prior to passing of the impugned order of transfer of petitioner.

4. I have heard learned counsel for the parties and perused the documents placed on record.
5. The only ground raised by the counsel for petitioner is that the Respondent No.3/Collector is having no authority under the law to transfer the petitioner from one office to another who is a Divisional Cadre Employee. Perusal of Clause 1.2 of the Transfer Policy, 2025 (Annexure P/5) would show that jurisdiction has been vested with the Collector to transfer the employee posted in the concerned district to another office within the district, subject to approval of the Incharge Minister. The order dated 30.06.2025 (Annexure P/3) would show that the Respondent No. 3/Collector before passing of the order have obtained the approval of the Incharge Minister.
6. In view of the specific clause of the Transfer Policy, 2025 and further, the contents of the order dated 30.06.2025 showing that the Respondent No. 3/Collector has obtained the prior approval of the Incharge Minister in consonance with the provisions under the Transfer Policy, 2025, I do not find any merit in the grounds raised by the counsel for petitioner and accordingly, the writ petition is **dismissed**.
7. Certified copy as per rules.

**Sd/-**  
**(Parth Prateem Sahu)**  
Judge