



2026:CGHC:3476



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 632 of 2026

1 - Sunita Toppo W/o Shri Suresh Toppo Aged About 42 Years Presently Posted As Pharmacist Grade-Ii At District Hospital, Jashpur, District Jashpur (C.G.)

--- **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Its Secretary Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, Ps And Po Rakhi, Nawa Raipur, District Raipur (C.G.)

2 - Committee Of Senior Secretaries Department Of General Administration Room No. 6, Mantralay, Atal Nagar Nawa Raipur, District Raipur (C.G.)

3 - Director Directorate Of Health Services, Atal Nagar, Nawa Raipur, District Raipur (C.G.)

4 - Collector District Jashpur (C.G.)

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

--- **Respondent(s)**

(The cause title is taken from CIS)

For Petitioner	: Mr. Ashutosh Shukla, Advocate
For Respondents	: Mr. Rishabh Bisen, P.L.

Hon'ble Shri Justice Parth Prateem Sahu

Order On Board

20/01/2026

1. Petitioner has filled this petition seeking the following reliefs:-



“10.1 That, this Hon’ble Court may kindly be pleased to set-aside/quash the impugned recommendation of the Transfer Committee dated 13.10.2025 (Annexure P-1)

10.2 That, this Hon’ble Court may kindly be pleased to set-aside/quash the impugned transfer order dated 30.06.2025 (Annexure P-2) issued by respondent District Hospital, Jashpur, District Jashpur (irrespective of petitioner).

10.3 To kindly grant any other writ/writs, order/orders, relief/reliefs in favour of the petitioner, which the Hon’ble Court deemed fit & just in the facts and circumstances of the case, including awarding of the costs to the petitioner.”

2. Learned counsel for petitioner submits that petitioner, who is working as Pharmacist Grade-II in District Hospital, Jashpur is transferred to Primary Health Center Kukargaon, Block- Pathalgaon vide order dated 30.06.2025. Petitioner has submitted a representation before the Committee constituted under transfer policy taking grounds that at the transferred place of posting only one post of Pharmacist Grade-II is sanctioned on which one employee is already posted, there is no vacant post for the petitioner to join at transferred place along with other grounds, however, representation submitted by petitioner was rejected in a mechanical manner without making any observation on the grounds taken by petitioner specifically.
3. Learned State counsel submits that pursuant to the observation made by this Court he has sought instructions and according to the information gathered from CMHO, Jashpur, there is only one sanctioned post of Pharmacist Grade-II at Primary Health Center, Kukargaon, Block- Pathalgaon where one Tulsi Yadav, Pharmacist



Grade-II is already working since 02.04.2025 and there is no vacant post for petitioner to join at transferred place.

4. I have heard learned counsel for parties and also perused the documents placed on record.
5. Considering the fact that there is no vacant post of Pharmacist Grade-II at transferred place of petitioner, the impugned order of transfer (Annexure P-2) appears to have been issued due to some wrong information supplied to the Collector/respondent No.4. As there is no vacant post available for petitioner to join at transferred place, the order of transfer of petitioner dated 30.06.2025 (Annexure P-2) is not sustainable and accordingly it is quashed.
6. Accordingly, this writ petition is allowed.

Sd/-
(Parth Prateem Sahu)
Judge

Balram