



2025:CGHC:16566
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(S) No. 4156 of 2022

Dr. Doleshwar Patel S/o Shri Tejram Patel, Aged About 36 Years R/o. Tarapur, District Raigarh (Chhattisgarh) Presently Posted And Working As Orthopedic Specialist At Community Health Centre, Chaple, District : Raigarh, Chhattisgarh

---- Petitioner

Versus

- 1** - State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District : Raipur, Chhattisgarh
2 - Chief Medical And Health Officer, Raigarh, District : Raigarh, Chhattisgarh
3 - Block Medical Officer, Chaple, District : Raigarh, Chhattisgarh

Respondents

For Petitioner	: Shri Syyed Majid Ali and Shri Mohd. Armaan Memon, Advocates.
For Respondent / State	: Shri Ghanshyam Kashyp, Gy. G.A.

Hon'ble Shri Justice Sachin Singh Rajput

Order on Board

20/01/2026

1. This writ petition has been filed by the petitioner assailing the order dated 10/06/2022 (Annexure P-1) passed by the Chief Medical and Health Officer, Raigarh (C.G.) by which the petitioner who was working as Orthopedic Specialist in Community Health Centre, Chaple, District – Raigarh was directed to perform his duty temporarily in Civil Hospital, Kharsiya, District- Raigarh (C.G.).
2. Learned counsel for the petitioner submits that the appointing authority of the petitioner is State Government whereas the impugned order was passed by the respondent No. 2 without jurisdiction. He submits that even otherwise this Court vide its order dated 28/06/2022 stayed the operation and effect of the

impugned order Annexure P-1. Thus lapse of about 03 years and 6 months, the exigency which may have arisen for passing the impugned order may have come to an end. Thus, this writ petition may be disposed of directing the respondent/State not to act upon the impugned order with a liberty to pass a fresh order in case of any exigency arises.

3. Learned counsel for the respondents submits that the impugned order is only a temporarily arrangement looking to the need of the hour and it cannot be treated as transfer order. Thus, there is no merit in the writ petition.
4. Heard learned counsel for the parties and perused the record.
5. Be that as it may, this Court vide its order dated 28/06/2022 stayed the operation and effect of the impugned order. It appears that by the strength of that order, the petitioner is still working in the previous place of posting.
6. In view of the above, this writ petition is disposed of observing that the respondents shall not act upon the impugned order Annexure P-1, however, are at liberty to pass a fresh order in this regard in case exigency so arises.
7. With these observation and direction, this writ petition is disposed of.

Sd/-
(Sachin Singh Rajput)
Judge