



2026:CGHC:4075

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

W.P.(S). No. 6808 of 2022

Dr. Rahul Verma, S/o. Late Shri Anil Chandra Verma, aged about 37 years, presently posted and working as Dental Medical Officer, District Hospital, Bilaspur, Chhattisgarh

---- **Petitioner**

Versus

1. State of Chhattisgarh, through : its Secretary, Department of Health and Family Welfare, Mahanadi Bhawan, Mantralaya, P. S. Rakhi, Nawa Raipur, Atal Nagar, District : Raipur, Chhattisgarh
2. Commissioner, Health Services, Chhattisgarh, Raipur, District : Raipur, Chhattisgarh
3. Director Health Services, Chhattisgarh, O/o Directorate, Indrawati Bhawan, P. S. Rakhi, Nawa Raipur, Atal Nagar, District : Raipur, Chhattisgarh

---- **Respondents**

<u>31/10/2022</u>	Mr. Rajeev Shrivastava, Sr. Advocate with Mr. Aman Pandey, counsel for petitioner. Ms. Hamida Siddiqui, Dy.A.G. for State-respondents. Heard on I.A. No.2, which is an application for amendment



in writ petition and impleadement of party respondent.

Learned counsel for petitioner submits that after filing of writ petition, petitioner came to know some of important facts, which are germane to decide the issue raised in the writ petition, therefore, the application for amendment be allowed.

Ms. Siddiqui submits that she is having no objection if the application for amendment is allowed.

Considering the submission made by learned counsel for petitioner and also the pleadings made in the application, the same is allowed.

Learned counsel for petitioner is directed to carry out necessary amendment/correction in the petition during the course of the day.

Issue notice to the respondents. Process fee as per rules.

Ms. Siddiqui accepts notice on behalf of respondents No.1 to 3, hence, process fee is not required to be paid for them.

Issue notice to newly added respondent No.4 on payment of process fee as per rules.

Also heard on I.A. No.1, which is an application for grant of interim relief.

Learned counsel for petitioner submits that petitioner was posted at Bilaspur by virtue of order of transfer dated



16.08.2021. Petitioner joined at the transferred place at Bilaspur on 08.09.2021. As per Clause 1.5 of transfer policy, employees, who have been posted prior to 15th of August, 2021 are only to be considered for their transfer, therefore, there is violation of Clause 1.5 of transfer policy. It is contended that petitioner is transferred within short span of time only to accommodate the newly added private respondent No.4, who was also transferred along with petitioner vide order dated 16.08.2021 and surprisingly the order dated 16.08.2021 executed by parties therein have been cancelled vide order dated 30.09.2022, which is almost more than 11 months from the date of issuance of order of transfer. The action on the part of respondents in transferring the petitioner as also cancelling the executed order of transfer of newly added respondents after lapse of 11 months is arbitrary.

Learned State counsel would submit that application for amendment along with the documents is filed today itself, hence, she may be granted time to seek instruction in the matter. She further submits that she will also file reply to the application for interim relief.

Considering the submissions made by learned counsel for petitioner and also taking note of order dated 30.09.2022 whereby the order dated 16.08.2021 is cancelled and further



2026:CGHC:4075

considering the date of joining of petitioner at present place of posting and also Clause 1.5 of transfer policy, it is directed that status quo as it exists today with respect to posting of petitioner shall be maintained, till the next date of hearing.

List this case in the week commencing 5th of December, 2022.

C.C. as per rules.

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

balram