



2025:HHC:39877

JITENDER KUMAR
Versus
THE STATE OF HP AND OTHERS

CWP-17647 of 2025

13.11.2025

Present: Ms. Ambika Thakur, Advocate, for the petitioner.

Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General, with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for State.

CWP-17647 of 2025 & CMP-27137 of 2025

Notice. Mr. Rajan Kahol, learned Additional Advocate General, appears and waives service of notice on behalf of respondents/State.

Petitioner herein, who at present is working as Medical Officer, is aggrieved of order dated 31.10.2025 (Annexure P-2), passed upon the representation filed by the petitioner in terms of order dated 08.10.2025, passed in CWP No.9809 of 2025, titled as *Dr. Jitender Kumar Vs. State of H.P. and Others*, whereby prayer made on behalf of the petitioner to adjust him at SLBS Govt. Medical College, Ner Chowk, Mandi or BBMB Hospital Sundernagar, District Mandi, has been rejected on the ground that there is no vacant post of Medical Officer (Dental) in Medical College at Ner Chowk and no request, if any, has been received for filling-up the post of Medical Officer (Dental) on second basis.



Precisely, the grouse of the petitioner, as has been highlighted in the petition and further canvassed by Ms. Ambika Thakur, learned counsel representing the petitioner, is that respondents, while considering the representation filed by the petitioner, failed to take note of the fact that while passing order dated 13.06.2025 (Annexure P-1), whereby the petitioner was transferred from CHC Gagal, District Mandi to Civil Hospital Kotli, District Mandi, respondents have failed to take note of the fact that petitioner has not completed normal tenure of posting.

While referring to the order dated 08.10.2025 (Annexure P-3) passed by this Court in CWP No.9809 of 2025, learned counsel representing the petitioner submitted that though this Court was of the definite view that order dated 13.06.2025 (Annexure P-1), as detailed hereinabove, needs to be interfered, but yet taking note of illness of private-respondent, petition was disposed of with the direction to respondents to consider and decide the representation of the petitioner, praying therein for his adjustment at convenient station, however, respondents ignoring the fact that one Medical Officer (Dental) has been working at Medical College at Ner Chowk for more than seven years, wrongly rejected the representation, rather authority concerned ought to have posted the petitioner in place of Medical Officer, who has been



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working in afore institution for more than prescribed period of three years.

In view of the above, let learned Additional Advocate General have instructions that why one Medical Officer (Dental), who is stated to have been working there for seven years, cannot be shifted to some other station.

List on 25.11.2025. Till then, petitioner shall not be compelled to join at the transferred station.

November 13, 2025

(Rajeev Raturi)

**(Sandeep Sharma),
Judge**