



HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

SWP No.1766/2018, IA No.1/2018

Date of order:-31.08.2018

Dr. Ritu Chib

Vs.

State of J&K and ors.

Coram:

Hon'ble Mr. Justice Sanjeev Kumar, Judge

Appearance:

For the petitioner(s) : Mr. Vikram Sharma, Advocate.

For the respondent(s) : Mr. Aseem Sawhney, AAG vice
Mr. H.A Siddiqui, Sr. AAG.

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| i/ | Whether to be reported in
Press/Media | : | Yes/No |
| ii/ | Whether to be reported in
Digest/Journal | : | Yes/No |

1. The grievance projected by the petitioner in this petition is that vide Order No.930 G of 2018 dated 27.08.2018 passed by respondent No.2, the petitioner came to be transferred and posted as Dental Surgeon School Health, CMO Office, Jammu vice Dr. Sunita Verma, Dental Surgeon, Health Education Bureau, DHS Office, Jammu. The said order was kept in abeyance by respondent No.2 on the very next date i.e., 29.08.2018. It is submitted by the learned counsel for the petitioner that now respondent No.1 has passed the Government Order bearing No. 489-HME of 2018 dated 29.08.2018, whereby the petitioner has been transferred and posted in PHC Thial, Block Majalta, Udampur vice respondent No.4. It is stated that the aforesaid order dated 29.08.2018, impugned in this petition has been passed to accommodate respondent No.4 who though posted in PHC Thial Majalta, had not joined there and was attached in Jammu.
2. Notice in the main petition as well as in IA No.1/2018.



3. Mr. Aseem Sawhney, learned AAG appearing vice Mr. H.A Siddiqui, Sr. AAG accepts notice on behalf of respondent No. 1 to 3. Notice shall go to respondents No. 4 and 5.
4. In view of the aforesaid submission made by learned counsel for the petitioner, Mr. Assem Sawhney, learned AAG learned counsel for the respondents, is directed to seek appropriate instructions in the matter to verify as to whether Dr. Mridula Gupta had joined and was working in PHC, Thial on the date the order impugned was passed or whether she was attached in some other place at Jammu on the aforesaid date.
5. Learned counsel for the respondents shall obtain the aforesaid instructions from respondent No.1 and submit to this Court on the next date of hearing.
6. List on 07.09.2018.
7. Till then, status quo with regard to petitioner as it exists today shall be maintained.
8. Learned counsel for the petitioner shall provide a copy of petition to learned counsel for the respondents today itself.
9. Copy of this order be provided to learned counsel for the petitioner under the seal and signatures of Bench Secretary today itself.

Jammu
31.08.2018
Surinder-II

(Sanjeev Kumar)
Judge