
(2011) 04 SHI CK 0121
In the High Court Of Himachal Pradesh
Case No : CWP No. 3468 of 2010

Bhavnesk Kumari

APPELLANT

Vs

State of H.P and Others

RESPONDENT

Date of Decision : 18-04-2011

Acts Referred:

Citation : (2011) 04 SHI CK 0121

Hon'ble Judges : Deepak Gupta, J

Bench : Single Bench

Judgement

Deepak Gupta, J.—By means of this petition, the Petitioner has challenged the order dated 31.5.2010/18.6.2010 whereby she has been transferred from Health Sub Centre (HSC), Jia to Health Sub Centre, Dhandol and Respondent No. 4 who was under transfer to HSC, Dhandol has been adjusted at HSC, Jia.

2. The main grievances of the Petitioner are that she was transferred from HSC, Jia on her own request only on 11.5.2010 and was again transferred in less than a month. Her other allegation is that her transfer was ordered with the mala fide intention of adjusting the Respondent No. 4. This order was stayed by this Court and in the meanwhile, I have been informed at the Bar that the Respondent No. 4 has been transferred to HSC, Narota on 16.3.2011.

3. From the record, I find that the Petitioner has been serving in and around the same area for a long period of time, except a period of one year after her original appointment in the year 1984 and two years from 2005 to 2007. The Petitioner has by and large served in one block only. Similar is the case in respect of Respondent No. 4. However, since Respondent No. 4 has already been transferred to some other place, the State Government can consider retaining the Petitioner at HSC, Jia and since transfers have to be effected during the ensuing month, the State shall take all these factors into consideration during the normal transfers. Till any further order is passed, the Petitioner shall be permitted to continue at HSC, Jia since Respondent No. 4 has already been adjusted at some other place.

4. The petition is disposed of in the aforesaid terms. No order as to costs.