

Devidayal Balmik Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Aug-01-2012

Appellant : Devidayal Balmik

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. Rakesh Kumar Jain

Judgement :

W.P. No. 11847/2012 1.8.2012 Shri Rakesh Kumar Jain, learned counsel for the petitioner.

Order dated 13.7.2012 is being assailed vide this petition; whereby petitioner, Patwari, has been transferred from Tikamgarh to Lidhora, district Tikamgarh. Challenge is on the ground that petitioner since is suffering from Cancer his transfer ought to have been stayed.

True it is the document filed by the petitioner does reveal that the petitioner is suffering from the ailment but the same very document reveals that the treatment for said ailment is taken by the petitioner either at Bombay or Gwalior. It being not the case of the petitioner that treatment being available at Baldeogarh, on his transfer he will be deprived of the same.

The transfer, as apparent from order dated 13.7.2012 is in administrative exigency and is within district.

The petitioner since is within same district will be able to undertake the treatment as he was availing prior to his transfer from Tikamgarh to Lidhora.

There being no good ground to interfere, the petition fails and is hereby dismissed.

(SANJAY YADAV) JUDGE VT/

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