



Government of Jammu & Kashmir
Health & Medical Education Department
Civil Secretariat J&K Jammu.

Subject:- Implementation of judgment dated 20-12-2017 passed by the Hon'ble Court at Jammu in SWP No.2974/2017 titled Dr.Raj Reshi Sharma V/S State of J&K and others.

Government Order No: 64 -HME of 2018
D a t e d: 19 - 01 - 2018

Whereas the Department vide Government order No.666-HME of 2017 dated 14-12-2017 among others also transferred Dr.Raj Reshi Sharma Sr. Consultant Surgeon from Government Hospital Sarwal, Jammu to District Hospital Poonch; and

Whereas the above Doctor approached before the Hon'ble High Court at Jammu by way of SWP No.2974/2017, seeking the direction to the respondents to allow the petitioner to continue at his present place of posting i.e. Government Hospital Sarwal, Jammu or in the alternative to adjust the petitioner suitably where the post of Sr. Consultant Surgeon is lying vacant i.e in Government Hospital, Gandhi Nagar, Jammu;-and

Whereas the Hon'ble High Court on 20-12-2017 disposed of the aforesaid writ petition with following directions;-

"Since it is case of transfer in a common order, the authority may reconsider the issue on the basis of the representation made by the petitioner(annexure-F to the writ petition) and take a decision thereon within a period of two weeks from the date of receipt of a copy of this order.

Till such time, a decision is taken, the present position of the petitioner shall not be disturbed"

Whereas the Director, Health Services, Jammu after examining the case of the petitioner has requested vide communication dated 28-12-2017 to re-consider the matter on the basis of representation of the petitioner as the one of the post of Senior consultant Surgeon is vacant in the Government Hospital Gandhi Nagar, Jammu since 01-11-2016;and

Whereas the Department after examining/considering the recommendation of the Director, Health Services, Jammu and representation of the petitioner observed that there is no sanctioned

post of Senior Consultant Surgeon in District Hospital Poonch and decided that Dr.Raj Reshi Sharma Senior Consultant Surgeon be posted in the Government Hospital Gandhi Nagar, Jammu against the available vacancy of Senior Consultant Surgeon.

Now therefore, in compliance to the judgment dated 20-12-2017 passed by the Hon'ble High Court at Jammu in SWP No.2974/2017 titled Dr.Raj Reshi Sharma, V/S State of J&K and others, it is hereby ordered that Dr.Raj Reshi Sharma Senior Consultant Surgeon (petitioner) under transfer to District Hospital Poonch is posted at Government Hospital Gandhi Nagar, Jammu against the available vacancy.

By order of the Government of Jammu and Kashmir.

Sd/-

(Dr.PawanKotwal) IAS

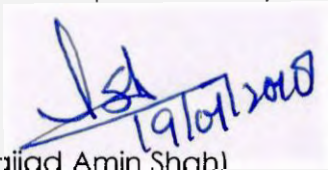
Principal Secretary to Government
Health and Medical Education Department.

No:-HD/Legal/Gaz/MR/MR-191/2017

Dated:- 19-01-2018

Copy to the:-

1. Director, Health Services Jammu, for information and necessary action.
2. Director, Finance Health and Medical Education Department.(Nodal Officer, Website H&ME)
3. Addl.Secretary(C) to Government,H&ME Department
4. OSD with Hon'ble Minister for Health and Medical Education for information of the Hon'ble Minister
5. Special Assistant to Hon'ble Minister of State for Health and Medical Education Department for information of Hon'ble Minister
6. Concerned.
7. Shri Sanjeev Kumar Padha, Government Advocate, Jammu.
8. Pvt. Secretary to Principal/Secretary to Government, Health and Medical Education Department for information of the Principal Secretary
9. Govt. Order file (w.2.s.c)/Stock File.


(Sajjad Amin Shah)

Addl. Secretary to Government, (Law)
Health & Medical Education Department