

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5574 of 2016

Bharat Nag S/o Late Shri Birbal Nag, Aged About 51 Years
Occupation Service Posted As Principal At Government Higher
Secondary School Gopalpur, Block Rajpur, Ramanujganj,
Chhattisgarh R/o Village & Post Khorma, P.S. & Tehsil Pratappur,
Revenue & Civil District Surajpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary General Administration,
Department, Mahanadi Bhawan, Naya Raipur, Revenue & Civil
District Raipur Chhattisgarh
2. State Of Chhattisgarh Through Secretary, Department Of
Education Mahandi Bhawan, Naya Raipur, Revenue & Civil District
Raipur Chhattisgarh
3. Collector, Balrampur Ramanujganj, District Balrampur
Ramanujganj Chhattisgarh
4. District Education Officer, Balrampur Ramanujganj, District
Balrampur Ramanujganj Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Surfaraj Khan, Advocate.
For State	:	Mr. Dheeraj Wankhede, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/10/2016

Heard on admission.

1. The transfer order dated 30.07.2016 is under challenge on the ground that the petitioner has been transferred showing it to be on his own request whereas the petitioner never made any application for transfer on his own request. It is submitted that the transfer order is either on a mistake of fact or a mischief.
2. Considering the aforesaid submissions and the statement made on affidavit in the petition that the petitioner never made any application for

transfer on his own request, the matter is serious and requires enquiry. The Transferring Authority as to how the petitioner has been transferred showing it to be on his own request. The respondent/State, through a responsible officer, shall get enquiry made in the matter and appropriate decision be taken in the matter within a period of six weeks from the date of receipt of copy of this order. For a period of six weeks, no coercive steps shall be taken against the petitioner.

It is also to be observed that in large number of cases, this Court has found that transfer orders are being issued on the ground of own request but no requests have been made. The State Government should examine this matter and take strict action against those who were involved in this kind of activities where employee is being transferred showing it to be on his own request without there being any request made by him.

3. The petition is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E