

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5396 of 2019

1. Smt. Kunti Mourya, W/o Shri C.R. Mourya, Aged About 41 Years, Presently Working As Rural Health Organiser (Woman) At Sub-Health Center Marikodair, Block- Laundiguda, District- Bastar At Jagdalpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Naya Raipur, Chhattisgarh
2. The Collector Baster, District- Bastar At Jagdalpur, Chhattisgarh
3. Chief Medical And Health Officer Baster, District- Bastar At Jagdalpur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Somkant Verma, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A. G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06.08.2019

1. The challenge in the present Writ Petition is to the order of transfer dated 12.07.2019 (Annexure P/1) passed by the respondents transferring petitioner from Sub-Health Center, Marikodair, Block: Laundiguda to Sub-Health Center, Khadka, Block: Baster.
2. The challenge in the transfer order is on the ground that, the impugned order reflects transfer of the petitioner to have been made at the request of the petitioner.
3. According to counsel for the petitioner, the petitioner has never moved any application nor has requested any order of transfer, yet

the authorities have shown the order of transfer to have been on its own cost.

4. Given the limited grievance that, the petitioner has raised challenging the order of transfer, this Court is of the opinion that subject to verification of the facts that, whether the petitioner has made a request for transfer, the impugned order so far as the petitioner is concerned, shall not be given effect to. However, in case on verification, if it is found that the petitioner has in fact made a request, then the impugned order would not stand interfered and the respondents would be at liberty to relieve the petitioner from the present place of posting. Meanwhile, till the verification is done, the effect and operation of the impugned order, so far as the petitioner is concerned, shall not be given effect to.
5. The present Writ Petition, accordingly stands disposed off.

**Sd/-
(P. Sam Koshy)
Judge**