

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 5877 OF 2019**

Smt. Reena Benarjee W/o Shri Vishwajeet Benarjee Aged About 52 Years
Presently Working As Head Mistress At Govt. Primary School Bamhani,
Block Jagdalpur, District Baster At Jagdalpur Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Nawa Raipur Chhattisgarh.
2. The Collector Baster, District Baster At Jagdalpur, Chhattisgarh.
3. District Education Officer Jagdalpur, District Baster At Jagdalpur Chhattisgarh.

... **Respondent(s)**

For Petitioner	:	Shri Somkant Verma, Advocate
For Respondent-State	:	Shri Anshuman Shrivastava, Panel Lawyer.

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 passed by the respondent No. 2 transferring the petitioner from Govt. Primary School Bamhani, Block-Jagdalpur to Block Education Officer, Bastanar, District-Jagdalpur.
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 infact 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