

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5893 of 2019

Sarkeram Prasad (Wrongly Typed As Ram Prasad Sarke In The Impugned Order) S/o Arraiya Aged About 36 Years R/o Basaguda, Bijapur, District Bijapur Chhattisgarh., District : Bijapur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector, Bijapur, District Bijapur Chhattisgarh., District : Bijapur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Manoj Paranjpe, Advocate
For State	:	Ms. Abhyunnati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07/08/2019

1. **The** challenge in the present writ petition is to the order of transfer dated 12.07.2019 passed by the respondents transferring the petitioner from Primary School, Timmapur, Block Usur, District Bijapur to Primary School Kondroji, Block Bhairamgarh, District Bijapur.
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 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

Ved