

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5791 of 2019

Haridas Manikpuri S/o Late Shri Mahakam Das Manikpuri Aged About 48 Years Occupation Service, Posted As Secretary Of Gram Panchayat Ghodari, Janpad Panchayat Mahasamund, Civil And Revenue District Mahasamund, Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Panchayat And Rural Development Department Mantralaya Mahanadi Bhawan, Capital Complex New Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Chief Executive Officer District Panchayat Mahasamund, District Mahasamund, Chhattisgarh, District : Mahasamund, Chhattisgarh
3. Chandramani Chandraker Occupation Service, Posted As Secretary Of Gram Panchayat Bemcha, Janpad Panchayat Mahasamund, Civil And Revenue District Mahasamund, Chhattisgarh, District : Mahasamund, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Sunil Sahu, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

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 19.07.2019 passed by the respondents transferring the petitioner from Gram Panchayat Ghodari, Janpad Panchayat Mahasamund to Gram Panchayat Lohardih, Janpad Panchayat Mahasamund.
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

Ved