

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6096 of 2019

Aghania Pandav D/o Shri Kartik Ram Pandav Aged About 37 Years
Occupation- Service, Assistant Teacher (Lb), Govt. Primary School,
Bharridand, Tahsil Marwahi, District Bilaspur Chhattisgarh, R/o Village
Bargawan, Post Office Bharridand, Tahsil Marwahi, District Bilaspur,
Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Ministry Of Education,
Mahanadi Bhawan, Atal Nagar, Raipur, District : Raipur, Chhattisgarh
2. The Collector District- Bilaspur, District : Bilaspur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Basant Kaiwartya, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

14/08/2019

1. The challenge in the present writ petition is to the order of transfer dated 18.07.2019 passed by the respondent No.2 transferring the petitioner from Government Primary School, Bharridand to Government Primary School Beljhariya, District Marwahi.
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