

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 6183 of 2019**

Smt. Aseema Tirkey W/o Shri Deepak Kujur, Aged About 36 Years  
Presently Working As Assistant Teacher (L.B.), Government Primary  
School, Dhakadpara Chondimetawada, Block Tonkapal, District  
Bastar Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Education  
Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur,  
District Raipur Chhattisgarh
2. Collector Jagdalpur, District Bastar, Chhattisgarh
3. District Education Officer, Jagdalpur, District Bastar, Chhattisgarh
4. Block Education Officer, Tokapal, District Bastar, Chhattisgarh
5. Smt. Mangaldai Kashyap, Head Master, Government Primary School,  
Kandkipara (Sirisguda), Block Tonakapal, District Bastar,  
Chhattisgarh

**---- Respondents**


---

|                |   |                                |
|----------------|---|--------------------------------|
| For Petitioner | : | Mr. C. Jayant K. Rao, Advocate |
| For State      | : | Ms. Ishwari Ghrtilahare, P.L.  |

---

**Hon'ble Shri Justice P. Sam Koshy****Order On Board****19.08.2019**

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, Dhakadpara, Chondimetawada, Block Tokapal, District

Bastar to Primary School Kandkipara (Sirisguda), Block Tokapal, district Bastar.

2. The challenge to the transfer order is on the ground that the impugned order reflects the 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 for 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 fact 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, 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**