

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 6195 of 2019

Kamlesh Kumar Sahu S/o Shri Natthuram Sahu Aged About 46 Years
Working As Teacher (L.B.) Govt. Middle School Bhopsara, Block
Nawagarh, District Bemetara Chhattisgarh.

---- Petitioner(s)

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya Atal Nagar, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Collector District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
3. The Block Education Officer Nawagarh, District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

---Respondents

For Petitioner	:	Shri CJK Rao, Advocate.
For State	:	Ms. Abhyunnati Singh, Panel Lawyer.

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 12.07.2019 passed by the respondents transferring the petitioner from Govt. Primary School, Bhopsara to Govt. Primary School, Dhap.
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

inder