

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6380 of 2019**

Baman Ram Kashyap S/o Shri Lakhma Ram Kashyap Aged About 40 Years Presently Posted As Teacher (L.B.) At Government Middle School Phulpad Block Kuakonda, District Dantewada, R/o Village- Mahrahaumar, Block- Kuakonda, District- Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary School Education Department, Mantralaya, Atal Nagar, Raipur, District-Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector, South Bastar Dantewada, District- Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh
3. District Education Officer, District Dantewada, Chhattisgarh, District : Dantewada, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Faisal Akhtar, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

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

26/08/2019

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. Middle School, Faraswani, Block Kartala, District Korba to Govt. Middle School Chorbhatti, Block Kartala, district Korba. 2
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

Rohit