

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6451 OF 2019**

Shyam-Lal Mahilane S/o Late Shri Mansharam Mahilane, Aged About 52 Years R/o H.P. No. 10, Prema - Nagar, Baikunthpur, District - Koriya Chhattisgarh.

...Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Public Health Engineering Department, Mahanadi Bhawan, Mantralaya, Atal - Nagar, Raipur Chhattisgarh.
2. Collector (Koriya) Collectorate Compound, District - Koriya Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Pragalbha Sharma, Advocate.
For Respondent-State	:	Ms. Abhyunnati Singh, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

27.08.2019

1. The challenge in the present writ petition is to the order of transfer dated 13.08.2019 passed by the respondents transferring the petitioner from the office of Public Health Engineering, Block Baikunthpur to the office of Public Health Engineering, Block Balrampur.
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