

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6791 of 2019

Smt. Kausar Jaan D/o Shri S.A. Gaffar Aged About 38 Years Working As Teacher (L.B.), And Posted At Govt. Naveen Middle School Karga, Block Kurud, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Dhamtari District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh
3. District Education Officer Dhamtari, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Ms. Abhyunnati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30/08/2019

1. The challenge in the present writ petition is to the order Annexure P/1 dated 12.07.2019, whereby the petitioner has been transferred from Govt. Naveen Middle School, Karga, Block Kurud, District Dhamtari to Govt. Naveen Middle School, Kotgaon, Block Kurud, District Dhamtari.
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 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

Ved