

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6796 of 2019**

Rakesh Tiwari S/o Chandra Sekhar Tiwari Aged About 41 Years Presently
Posted And Working As Teacher (Lb) Govt. Secondary School, Kokdi
Block, Kurud District Dhamtari Chhattisgarh., District : Dhamtari,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education Mahanadi Bhawan Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Under Secretary Department Of School Education Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Director Directorate Of Public Instruction Indrawati Bhawan, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Collector Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh
5. District Education Officer Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. B. D. Guru, Advocate
For State	:	Mr. Anshuman Shrivastava, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/09/2019**

1. The challenge in the present writ petition is to the order of transfer dated 22.08.2019 passed by the respondents transferring the petitioner from Govt. Middle School, Kokdi, Kurud, District Dhamtari to Govt. Pre Middle School Bartori, Bilha, district Bilaspur.

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