

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6872 of 2019**

1. Baikunth Prasad Gupta, S/o Luxmi Prasad Gupta, Aged About 42 Years, Presently Working On The Teacher (LB) (T) Government Middle School Nawatola, Block: Odagi, District: Surajpur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education Mahanadi Bhawan Atalnagar Nava Raipur, District: Raipur, Chhattisgarh
2. The Collector Surajpur, District: Surajpur, Chhattisgarh
3. Block Education Officer Odagi, District: Surajpur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. A.N. Pandey, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****03.09.2019**

1. The challenge in the present Writ Petition is to the order of transfer Annexure P-1 dated 21.08.2019 passed by the respondents transferring the petitioner from Govt. Middle School, Nawatola, Block: Odagi, District: Surajpur, (C.G.) to Govt. Middle School, Goverdhanpur, Block: Wadraf Nagar, District: Balrampur, (C.G.).
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.
5. 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.
6. The present Writ Petition, accordingly stands disposed off.

**Sd/-
P. Sam Koshy
Judge**