

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6916 of 2019**

Lavansai Bhagat S/o Late Fulsai Ram Aged About 52 Years Working As Assistant Internal Account Auditor And Tax Officer, Janpad Panchayat, Balrampur Block And Tahsil Balrampur District Balrampur Chhattisgarh, District : Balrampur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat Department, Mantralaya, Mahanandi Bhawan, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Chief Executive Officer Zila Panchayat Balrampur-Ramanujganj District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh
3. Chief Executive Officer Janpad Panchayat Balrampur District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh
4. Chief Executive Officer Janpad Panchayat Wadrafnagar, District Balrampur Chhattisgarh, District : Balrampur, Chhattisgarh

----Respondents

For Petitioner	:	Mr. R.S. Patel, Advocate
For State	:	Mr. Ashutosh Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/09/2019**

1. The challenge in the present writ petition is to the order Annexure P/1 dated 22.08.2019, whereby the petitioner has been transferred from Janpad Panchayat Balrampur to Janpad Panchayat Wadrafnagar.
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 for any transfer, yet the authorities have shown the order of transfer to have been on his own cost. The petitioner further submits that the petitioner has been transferred from

one Janpad Panchayat to another Janpad Panchayat, which is otherwise impermissible.

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