

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7112 of 2019**

Shanker Kashyap S/o Laxminath Kashyap, Aged About 39 Years
 Posted As Teacher (L.B.) At Government Middle School Kinderwada,
 District Sukma, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through - The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur, District - Raipur, Chhattisgarh
2. Under Secretary, State Of Chhattisgarh, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur, District - Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Vijay Kumar Sahu on behalf of Praveen Dhurandhar, Advocate
For State	:	Mr. P. Acharya, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****09.09.2019**

1. The challenge in the present writ petition is to the order of transfer dated 21.08.2019 passed by the respondents transferring the petitioner from Govt. Middle School Kinderwada, district Sukma to Govt. Boys Middle School Bhopalpatnam, district Bijapur.
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 request.
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**