

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7097 of 2019**

1. Smt. Nilendri Patel, W/o Shri Harilal Patel, Aged About 36 Years, Working As Assistant Teacher (L.B.) And Posted At Govt. Primary School Khorapani, Cluster Bhukel, Block: Basna, District- Mahasamund, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District- Raipur, Chhattisgarh
2. Collector, Mahasamund, District- Mahasamund, Chhattisgarh
3. District Education Officer, Mahasamund, District- Mahasamund, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.09.2019**

1. The challenge in the present Writ Petition is to the order of transfer Annexure P-1 dated 12.07.2019, whereby the petitioner has been transferred from Govt. Primary School, Khorapaali, Block: Basna, District: Mahasamund, (C.G.) to Govt. Primary School, Pipalkhuta, Block: Basna, District: Mahasamund, (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