

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7360 of 2019**

Smt. Gasmoti Patel W/o Shri Sushil Kumar Patel Aged About 53 Years R/o Village And Post Saraipali, Tahsil Saraipali, Civil And Revenue District Mahasamund Chhattisgarh., 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., District : Raipur, Chhattisgarh
2. The Upper Secretary, Department Of School Education Cg Government, Mahandi Bhawan, Atal Nagar, Nava Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Deepak Kumar Singh, Advocate
For State	:	Ms. Ishwari Ghritlahare, P.L.

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

16/09/2019

1. The challenge in the present writ petition is to the order of transfer dated 21.08.2019 whereby the petitioner has been transferred from Government Girls Higher Secondary School, Saraipali, District Mahasamund to Government Model Higher Secondary School, Saraipali, District Mahasamund.
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 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 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.
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

Ved