

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7086 of 2019**

Nimaee Modhiya S/o Shri Kumbhkaran Modhiya Aged About 29 Years R/o Village Ektal, Post- Netnagar, Tahsil- Pussor, Police Station Chakradhar Nagar (Raigarh), District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Though Secretary Department Of Panchayat And Rural Development, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Shri Nutan Prakash Chaudhary Assistant Grade-ii, Office Of Deputy Director, Department Of Panchayat, Baloda Bazar, Bhatapara, District- Baloda Bazar, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

----Respondents

For Petitioner	:	Mr. S.P. Kale, Advocate
For State	:	Ms. Ishwari Ghritlahare, 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 the office of Deputy Director Raigarh to the office of Deputy Director Balodabazar-Bhatapara.
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 infact 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