

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7085 of 2019**

Kamla Prasad Sahu S/o Late Harivansh Ram Sahu Aged About 57 Years
R/o Village Banshpara, Post- Gangouti, Block Bhaiyathan, District- Surajpur
Chhattisgarh, District : Surajpur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. District Education Officer District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh
3. Chief Executive Officer Jila Panchayat Surajpur, District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh
4. Principle Government Middle School Gangouti, Block Bhaiyathan, District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Rajkumar Pali, Advocate
For State	:	Mr. Anshuman Shrivastava, 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 21.08.2019, whereby the petitioner has been transferred from Govt. Middle School Gangouti Block Bhaiyathan District Surajpur to Middle School Gaina Block Wadrafnagar, District Balrampur..
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