

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7082 of 2019**

Bihari Lal Paigambar S/o - Shri Dhansai Aged About 57 Years Lecturer (Political Science) At Government Boys Higher Secondary School Katghora, Block And Police Station Katghora, District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Avar Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. The Director Public Instruction , Directorate Chhattisgarh Government Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. The District Education Officer, District Korba Chhattisgarh, District : Korba, Chhattisgarh
4. Principal, Government Boys Higher Secondary School Katghora, District Korba Chhattisgarh, District : Korba, Chhattisgarh
5. Smt. Bhavna Bhosle, Government High School Salora (Kh), District Korba Chhattisgarh, District : Korba, Chhattisgarh

----Respondents

For Petitioner	:	Mr. A.S. Rajput, 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 Government Boys Higher Secondary School Katghora, District Korba to Government High School Salora (kh), District Korba.
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. 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