

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7417 of 2019**

Lal Bhushan Parhi S/o - Shri M.L. Parhi, Aged About 44 Years, R/o - Ward No.7, Jhilmila Saraipali, District Mahasamund, Presently Working As Teacher (L.B.) At Government Middle School Banjhapali, Tahsil Saraipali District Mahasamund, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. The Collector, Mahasamund, District Mahasamund, Chhattisgarh
3. District Education Officer, Mahasamund, District Mahasamund Chhattisgarh
4. Block Education Officer, Saraypali, Tahsil Saraipali, District Mahasamund Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Sanjay Agrawal, Advocate
For State	:	Ms. Abhyunati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17.09.2019**

1. The challenge in the present writ petition is to the order of transfer dated 22.08.2019 passed by the respondents transferring the petitioner from Govt. Higher Secondary School, Banjhapali to Govt. Middle School, Pithora, District Mahasamund.

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 request.
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. 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