

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 7579 of 2019**

Harkesh Kumar Jaiswal S/o Shri Prayag Prasad Jaiswal Aged About 40 Years Working On The Post Of Lecturer (T) Government Girls H.S. School Bhatgaon, Block Bhaiyathan, District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Petitioner

**Versus**

1. State Of Chhattisgarh Through The Secretary School Education Department, Mahanadi Bhawan Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Under Secretary, School Education Department, Mahanadi Bhawan Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer, Surajpur, District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh
4. Principal Government Girls H.S. School Bhatgaon, Block Bhaiyathan, District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Respondents

|                |   |                            |
|----------------|---|----------------------------|
| For Petitioner | : | Mr. V. K. Pandey, Advocate |
| For State      | : | Mr. P. Acharya, PL         |

**Hon'ble Shri Justice P. Sam Koshy****Order on Board****23/09/2019**

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. Girls Higher Secondary School, Bhatgaon, Block Bhaiyathan, District Surajpur to Government Girls Higher Secondary School, Vishrampur, Block Surajpur, District Surajpur.

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 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 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 of.

Sd/-  
**(P. Sam Koshy)**  
Judge

Rohit