

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 7954 of 2019

Makhan Das Vaishnav S/o Shri Ghuru Das Vaishnav Aged About 60 Years
Occupation - Hand Pump Technician, Posted At Public Health Engineering
Department, Sakti District - Janjgir - Champa Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Public Health Engineering Department, Mahanadi Bhawan, Atal Nagar, District - Raipur Chhattisgarh.
2. The Additional Secretary, Public Health Engineering Department, Atal Nagar, Mahanadi Bhawan, District - Raipur Chhattisgarh.
3. The Executive Engineer, Public Health Engineering Department, Janjgir - Champa Chhattisgarh.
4. Asst. Engineer, Public Health Engineering Department, Sub Division Sakti District Janjgir - Champa Chhattisgarh.

---Respondents

For Petitioner	:	Shri Soumitra Kesharwani, Advocate.
For State	:	Shri Chandresh Shrivastava, Dy. AG

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25.09.2019

1. The challenge in the present writ petition is to the order of transfer dated 13.08.2019 whereby the petitioner has been transferred from Sakti to Pandariya.
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 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, 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.

5. 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.
6. The present Writ Petition, accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder