

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8330 of 2019**

Jitendra Sahu S/o Shri Vikram Sahu Aged About 31 Years Presently
 Posted As Rural Health Convener (Male) at Sub Health Centre Baroli,
 Block Basna, District Mahasamund, Chhattisgarh. (Place Of Posting
 Wrongly Mentioned In Impugned Order As Primary Health Centre)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary School Health And Family
 Welfare Department, Mantralaya, Atal Nagar Raipur, District Raipur,
 Chhattisgarh.
2. Chief Medical And Health Officer Mahasamund, District Mahasamund,
 Chhattisgarh.
3. Block Medical Officer Basna, District Mahasamund, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Ghanshayam Kashyap, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/10/2019**

1. The challenge in the present writ petition is to the order of transfer dated
 23.08.2019 passed by the respondents transferring the petitioner from
 Mahasamund to Raipur.
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