
Sevaram Pathak Vs State Of Chhattisgarh And Ors

Writ Petition (S) No. 7006 Of 2019

Court: Chhattisgarh High Court

Date of Decision: Sept. 3, 2019

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Shobhit Koshta, Ishwari Ghritlahre

Final Decision: Disposed Of

Judgement

P. Sam Koshy, J

1. The challenge in the present writ petition is to the order of transfer dated 21.08.2019 passed by the respondents transferring the petitioner from

Block Berla District Bemetara to Block Devbhog, District Gariyaband.

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.