

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2425 of 2015

- Mahendra Kumar Koreti S/o Late Shri R. S. Koreti, Aged About 40 years, Sub-Engineer, Presently Working At Office Of Executive Engineer, Public Works Department, Sukma, Thana, Post & Tahsil-Sukma, District-Sukma (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, New Raipur, (Chhattisgarh)
2. Executive Engineer, Public Works Department, Sukuma, District-Sukma (Chhattisgarh)

---- Respondents

For Petitioner	Shri Somkant Verma, Advocate
For Respondent/State	Shri Shashank Thakur, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

09/07/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. Learned counsel for the petitioner submits that vide order dated 15.07.2014 (Annexure-P-1), the petitioner has been transferred from Sukma to Dantewada, on his own expenses. Thereafter, the petitioner has not been relieved to join at the new place of posting and even the petitioner has made requests in this regard, but no action has been taken till date. Learned counsel submits that once the order of transfer has been passed, it is for the Government to ensure that it is complied

with immediately. Learned counsel relies on a decision of the Supreme Court in *Sreedam Chandra Ghosh v. State of Assam & others*¹, in support of his contention that if the order is not complied with, a direction can be issued for enforcement thereof.

3. Learned counsel appearing for the State submits that if the transfer order dated 15-07-2014 (Annexure P/1) is still in existence and has not been complied with; appropriate steps would be taken to comply with the order.
4. If the aforesaid transfer order is still in existence, the Government is under an obligation to comply with the same at once. It is accordingly directed that the transfer order shall be complied with forthwith, within a period of two weeks.
5. Accordingly, the writ petition is disposed of.

Sd/-

J u d g e

PRASHANT KUMAR MISHRA

Nirala

¹ (1996) 10 SCC 567