

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2628 of 2015**

- Naresh Kumar Pandey S/o Late Shri K.D. Pandey Aged About 54 years Working As Wireless Operator, Narayanpur, District Narayanpur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Forest Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
2. Chief Conservator Of Forest, Kanker Circle, Kanker, Chhattisgarh
3. Divisional Forest Officer, Narayanpur Forest Division, Narayanpur, Chhattisgarh

---- Respondents

For Petitioner : Shri CJK Rao, Advocate.
 For Respondents : Shri Sangharsh Pandey, Deputy GA.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****27/07/2015**

1. Learned counsel appearing for the petitioner submits that vide order dated 15-7-2010 (Annexure – P/1) the petitioner has been transferred from Narayanpur Forest Division to Range Bakawand, Bastar Forest Division, General. 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.

2. Learned counsel appearing for the State submits that if the transfer order dated 15-7-2010 (Annexure P/1) is still in existence and has not been complied with; appropriate steps would be taken to comply with the order.
3. Accordingly, the respondents are directed to ensure that the petitioner is relieved from the present place of posting to the place where he has been transferred subject, however, to compliance of any other administrative instructions issued by the State Government regarding relieving of an employee working in the scheduled area. If the relieving of the petitioner is permissible under the extant guidelines/circulars, the petitioner shall be relieved within a period of 2 weeks from the date of receipt of a copy of this order. However, if the relieving is not permissible, the petitioner shall be informed by communication.
4. Accordingly, the writ petition is disposed of.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve

¹ (1996) 10 SCC 567