

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2163 of 2016

- Kumari Bindeshwari Sonwani, D/O Maharu Ram Sonwani, Aged about 27 Years, At Present Working as a Supervisor, Section Chindwar, Project Barsur Under the Zila Mahila Bal Vikas Adhikari (Geedam-2), District South Baster, Dantewada (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through the Mahila and Bal Vikas Mantralaya, Mahanadi Bhawan, Raipur, District Raipur (Chhattisgarh).
2. Zila Mahila Bal Vikas Adhikari (Geedam-2), District South Baster, Dantewada (Chhattisgarh).
3. Zila Mahila Bal Vikas Adhikari, Kondagaon, District Kondagaon, (Chhattisgarh).

---- Respondents

Appearance

For the petitioner	:	Shri Vishnu Koshta, Advocate
For the Respondents/State	:	Shri Gary Mukhopadhyay, Dy. G.A. on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

16/06/2016

1. Heard.
2. The only grievance of the petitioner is that even though the petitioner was transferred vide order dated 28-09-2013, till date the petitioner has not been relieved despite number of representations made by the petitioner.
3. Learned counsel appearing for the State submits that the petition suffers from delay and laches and the petitioner did not seek enforcement of the transfer order ever since September, 2013.
4. Once transfer order has been passed either it is to be implemented or even such transfer order should not be given effect to. It may be said further that in no circumstance an order can be allowed to remain in existence without being executed. As long as the transfer order remains in existence and the

petitioner is not relieved, cause of action arises in favour of the petitioner. The transfer order clearly shows that it was passed in coordination and after due approval of highest executive authorities.

5. In view of the above circumstances, the petition is disposed of with a direction to immediately relieve the petitioner unless the transfer order has been kept in abeyance by the authorities, who issued the transfer order.

Sd/-
(Manindra Mohan Shrivastava)
JUDGE