NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4722 of 2016

- Pavan Singh Paleshwar S/o Shri Shankar Singh Paleshwar Aged About 44 Years Occupation Service, Presently Posted At Panduka Patwari Circle No. 18. Post Office Panduka Police Station Panduka Tehsil Chhura District-Gariyaband, Chhhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through: Secretary Department Of Revenue & Aapda Prabandhan, Mantralay Mahanadi Bhavan, Naya Raipur-492002
2. Collector Gariyaband District-Gariyaband Chhattisgarh.
3. Sub Divisional Officer (S.D.O.) Revenue Gariyaband District-Gariyaband, Chhattisgarh.

---- Respondents

For Petitioner : Mr. S.N. Nande, Advocate
For State : Mr. R.K. Gupta, Dy. Advocate General

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/09/2016

Heard on admission.

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 21.07.2016, he is not being relieved.

2. The issue regarding implementation of transfer order, has been considered by this Court in the case of **Ms. Manisha Agrawal Vs. State of Chhattisgarh and Others, 2015(4) C.G.L.J.182**, wherein relying upon several judgment of the Supreme Court, it has been held by this Court that once the employee has been transferred, it is required to be complied with unless it is modified, varied or cancelled.

3. Therefore, in these circumstances, either the transfer order has to be implemented or the State has the option to cancel, vary or modify or keep in abeyance.

4. Accordingly, this petition is disposed off with the direction that if the transfer order of the petitioner is not cancelled, varied or kept in abeyance by the respondent-Transferring Authority, the petitioner would be required to be relieved towards implementation, execution of the transfer order.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Chandra