

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4899 of 2016

Saseem Tiwari S/o Shri Narendra Mohan Tiwari, Aged About 54 Years R/o
Amlidih Raipur Near Sent Joseph Church, Anjali Tower, Police Station
Telibandha Raipur, Tahsil & District Raipur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Revenue And Disaster Management, Secretariat, Mahanadi Bhawan, New Raipur, P.S. And Post Rakhi, Distirct Raipur Chhattisgarh
2. Collector, Office Of The Collectorate District Gariyaband Chhattisgarh
3. Sub Divisional Officer, Revenue Office Of The Sub Divisional Officer, Gariband, District Gariyaband Chhattisgarh

---- Respondents

Mr. Abhishek Pandey, counsel for the petitioner/s.
Mr. Chandresh Shrivastava, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/09/2016

Heard on admission.

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 30.07.2016, 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.

5. The petition is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
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