

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No.5569 of 2016**

- Naveen Kumar Meshram S/o Shri Shanker Rao, Aged About 35 Years Posted As Gramin Krishi Vistar Khand Katekalyan In The Office Of Senior Agriculture Development, Officer, Slouth Bastar, Dantewada, Distirct Dantewada Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Agriculture And Bio Technology Department, D.K.S. Bhawan, Raipur Chhattisgarh
2. The Deputy Director, Agriculture, District South Bastar, Dantewada, Distirct Dantewada, Distirct Dantewada Chhattisgarh
3. The Collector, Dantewada, Distirct Dantewada South Bastar Dantewada Chhattisgarh
4. Mr. D.S. Netam, Gramin Krishi Vistar Adhikari, Posted In The Office Of Senior Agriculture, Development Officer, Bastar Distirct Bastar Chhattisgarh

---- Respondents

For Petitioner	:	Shri Pallav Mishra, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, PL

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****06/10/2016**

Heard.

2. This petition has been filed by the petitioner stating that even though, the petitioner has been transferred vide order dated 29-07-2016, he is not being relieved on the ground that the petitioner's reliever has not joined.

3. On the other hand, learned State counsel submits that according to policy, in case, where an employee is posted in a scheduled area, unless his reliever comes, he cannot be relieved.

4. 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.

5. 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.

6. 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