

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5905 of 2016

Yogesh Xalxo S/o Late Shri Elias Xalxo Aged About 42 Years R/o Ayodhya Nagar, Behind Mahashakti Bhawan Ring Road No. 2, Bilaspur, Tehsil-Bilaspur, District-Bilaspur, (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mahanadi Bhawan, Mantralaya, Naya Raipur, District-Raipur, (Chhattisgarh).
2. Commissioner, Land Records, Indrawati Bhawan, Naya Raipur, (Chhattisgarh).
3. District Collector, Mungeli, District-Mungeli, (Chhattisgarh).
4. Sub-Divisional Officer (Revenue), Pathariya, District-Mungeli, (Chhattisgarh).
5. Tehsildar, Pathariya, District-Mungeli, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Ashish Beck, Advocate
For State	:	Shri B. Gop Kumar, Dy. A.G., on advance copy

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/10/2016

Heard on admission.

1. Learned counsel for the petitioner submits that though the petitioner has been transferred vide order dated 21st July, 2016, till date he has not been relieved.
2. Learned State counsel would submit that the petitioner may approach respondents No. 3 & 4 and as there is an order of the State Govt., the same is

to be complied with.

3. 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.
4. 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.
5. 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