

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5899 of 2016

Sachindra Kumar Singh S/o Shri Chaman Singh Aged About 45 Years R/o Village-Nunera, Post Office-Khamariya, Police Station-Udaypur, District-Surguja, (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Agriculture, Live Stock And Fisheries, Mahanadi Bhawan, Mantralaya, Naya Raipur, (Chhattisgarh).
2. The Under Secretary, Department Of Live Stock Mahanadi Bhawan, Mantralaya Naya Raipur, (Chhattisgarh).
3. The Deputy Director, Veterinary Services, District-Korba, (Chhattisgarh).

---- Respondents

For Petitioner	:	Shri KPS Gandhi, 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. The grievance of the petitioner is that even though the petitioner has been transferred vide order dated 23rd July, 2016 by the order of the State Govt., he is not being relieved by the relieving authority.
2. The order of transfer shows that the State Govt. has clearly directed that if after 15 days, the officer shall be deemed to have been relieved and if direction are not complied with, disciplinary action shall be taken against the concerned controlling authority.

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