

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6425 of 2016

Mahendra Kumar Sahu S/o Shri Ramsubhag Sahu Aged About 39 Years Village
Aanjokala Post Dumariya Tahsil Baikunthpur Dist. Korea (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Health, Mahanadi Bhavan, Mantralaya,
Naya Raipur, District Raipur (Chhattisgarh)
2. Collector, Korea, District Korea (Chhattisgarh)
3. Chief Medical Officer, District Hospital Baikunthpur Distt. Korea (Chhattisgarh)

---- Respondents

Shri Ajit Singh, counsel for the petitioner/s.
Shri B. Gopakumar, Dy.A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

25/11/2016

Heard on admission.

1. The grievance of the petitioner is that even though the petitioner has been transferred vide order dated 30/07/2016 passed by the Collector, the petitioner is not being relieved. It is stated that till date, the transfer order has not been stayed, varied or modified by the transferring authority.
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 till date, the petitioner would be required to be relieved towards implementation, execution of the transfer order.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti