

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 6580 of 2016**

- I.P. Shrivastava S/o Shri M.P. Shrivastava, Aged About 52 Years Posted As Principal, At Government Higher Secondary School, Hangwa, Kondagaon, R/o Village Hangwa, Tahsil & Distirct Kondagaon Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, School Educaiton Department Mantralaya Mahanadi Bhawan, Naya Raipur, Distirct Raipur Chhattisgarh
2. Director, Directoate Of Public Instruction, Indrawati Bhawan, 1st Floor Block C Naya Raipur Distirct Raipur Chhattisgarh
3. Collector, Kondagaon, Distirct Kondagaon Chhattisgarh
4. District Education Officer, Kondagaon, Distirct Kondagaon Chhattisgarh

---- Respondents

For Petitioner	:	Ms. Ruchi Nagar, Advocate
For State	:	Mr. D.R. Minj, Dy. Government Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****02/12/2016**

1. The grievance of the petitioner is that even though the petitioner has been transferred vide order dated 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 finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Chandra