

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6624 of 2016

Mithilesh Kumar Gavel S/o Shri Ummad Singh Gavel, Aged About 54 Years
Posted As Principal, At Government Higher Secondary School, Mayurdongar,
Kondagaon, R/o Village Mayurdongar, Tahsil & District Kondagaon
(Chhattisgarh) (District Korba Wrongly Mentioned In Annexure- P/1).

---- Petitioner

Versus

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

---- Respondents

Shri Mateen Siddiqui, counsel for the petitioner/s.
Shri D.R.Minj, Dy.G.A. for the State on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/12/2016

The grievance of the petitioner is that though the petitioner has been transferred from Government Higher Secondary School, Mayurdongar, District – Kondagaon (wrongly mentioned as Korba in Annexure P/1) to Government Higher Secondary School, Tarda, Block – Kartala, District – Korba, he has not been 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. Learned State counsel was granted time to seek instructions whether District – Korba has been mentioned due to typographical mistake or there is some other reason.

State counsel submits that infact the petitioner was posted at Kondagaon and not at Korba. Therefore, the order relates to the petitioner only.

4. In view of above and in the light of order passed in the case of **Manisha Agrawal** (supra), this petition is disposed off with a 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 should be relieved forthwith towards implementation, execution of the transfer order.

Sd/-
(Manindra Mohan Shrivastava)
Judge