

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6809 of 2016

Gulab Paikra S/o Late Ramsaya Paikra, Aged About 43 Years R/o Janakpur
Tahsil Bharatpur, District Koriya Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Revenue And Disaster Department,
Mantralaya, Naya Raipur District Raipur Chhattisgarh
2. The Collector, District Koriya Baikunthpur Chhattisgarh
3. The Collector, Surajpur Chhattisgarh

---- Respondents

Shri Parag Kotecha, counsel for the petitioner/s.
Shri D.R.Minj, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

16/12/2016

The grievance of the petitioner is that even though the petitioner was transferred vide order dated 30/07/2016 passed by the State Government, till date, the petitioner has not been relieved.

2. I find that the transfer order passed by the State Government clearly directs in clause 2 that if the officer does not join, he may be subjected to disciplinary action. That shows that the order is intended to be strictly complied with. Therefore, the controlling authority, under whose jurisdiction the petitioner is working was required to immediately relieve the petitioner in compliance of the order of the State Government.

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 judgments 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. 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