

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 5896 of 2016**

- Roshan Minj S/o Late Shri Lomis Minj, Aged About 32 Years R/o H. No. 19, Near Usha Heights, Vaishali, Nagar, Bilaspur, Tehsil Bilaspur, Distirct Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mahandi Bhawan, Mantralaya, Naya Raipur, Distirct Raipur Chhattisgarh
2. Commissioner, Land Records Indrawati Bhawan, Naya Raipur Chhattisgarh
3. Distirct Collector, Mungeli, Distirct Mungeli Chhattisgarh
4. Sub Divisional Officer (Revenue), Pathariya, Distirct Mungeli, Chhattisgarh
5. Tehsildar, Pathariya, Distirct Mungeli Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ashish Beck, Advocate
For State	:	Mr. B. Gopa Kumar, Dy. Advocate General

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****26/10/2016**

Heard on admission.

1. Learned counsel for the petitioner submits that though the petitioner has been transferred vide order dated 21.07.2016, till date he has not been relieved.
2. Learned State counsel would submit that the petitioner may approach respondents No. 3 & 4 and as there is an order of the State Government, the same is to be complied with.
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.

Sd/-
(Manindra Mohan Shrivastava)
Judge