

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 5871 of 2016**

- Kosham Kumar Sahu S/o Shri Nohar Singh Sahu, Aged About 31 Years Occupation Rural Agriculture Extension Officer, Office Of Senior Agriculture Development Officer, Bijapur, P.S. Bijapur, Distt. Bijapur, (Chhattisgarh)

---- Petitioner**Versus**

- State Of Chhattisgarh Through Secretary, Department Of Agriculture Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, P.S. Abhanpur, District Raipur, (Chhattisgarh)
- Collector, Bijapur, District Bijapur, (Chhattisgarh)
- Deputy Director, Agriculture, Bijapur, P.S. Bijapur, District Bijapur, (Chhattisgarh)

---- Respondents

For Petitioner	:	Ms. Deepali Pandey, Advocate
For State	:	Mr. D.R. Minj, Dy. Government Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****25/10/2016**

Heard on admission.

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 29.07.2016, he is not being relieved.
2. Learned State counsel submits that as the petitioner is posted in core scheduled area, to maintain administrative affairs, if the reliever is not joined, the petitioner cannot be relieved.
3. In the transfer order, itself, it has been mentioned that it deems fit if the petitioner does not join at a new place of posting within 15 days, his salary shall not be withdrawn and if not then, the action may be taken against the concerned controlling officer.

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