

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6380 of 2016

Ku. Anita Ekka D/o Shri Karlus Ekka Aged About 36 Years Presently Posted At-
Mini PHC-Latapara, Development Block-Devbhog, District -Gariyaband
(Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Secretary, Department Of Health And Family Welfare Chhattisgarh Government Mahanadi Bhawan, Mantralaya Naya Raipur, P.S.Rakhi (Chhattisgarh)
2. The Commissioner, Health Services Chhattisgarh Government Old Nurses Hostel Raipur, Chhattisgarh
3. Director, Directorate Health Service Indravati Bhawan, Raipur (Chhattisgarh)
4. Chief Medical And Health Officer, Gariyaband, District-Gariyaband (Chhattisgarh)
5. Block Medical Officer, Community Health Center-Devbhog, District-Gariyaband (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Rakesh Dubey, Advocate
For State	:	Shri B. Gop Kumar, Dy. A.G.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/11/2016

1. Heard application dated 27.11.2016 for taking document on record with affidavit.
2. Upon due consideration, the application is allowed. Document is taken on record.
3. The grievance of the petitioner setout in the petition is that the transfer order dated 30th July, 2016 in favour of the petitioner is not being implemented and the petitioner is not being relieved though to the best information of the petitioner, State Govt. has neither stayed nor kept in abeyance, modified or varied the transfer order till date.

4. 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.
5. Unless the transfer order has been cancelled, varied or modified by the State Govt., the petitioner is required to be relieved. Let the concerned authority implement the transfer order and relieve the petitioner forthwith.
6. The petition is accordingly finally disposed off with the observation and direction as above.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge