

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5159 of 2016

Mahipal Kujur S/o late Emil Kujur, Aged About 44 Years
Occupation Assistant Statistics Officer, District Economic &
Statistics Office, District Gariyaband Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Planning
Economic And Statistics Department, Mahanadi Bhawan, New
Mantralay Raipur, Chhattisgarh
2. The Under Secretary, Planning Economic And Statistics
Department, Mahandi Bhawan, New Mantralay Raipur
Chhattisgarh
3. Assistant Director, Administration Directorate, Economic &
Statistics Department, Raipur, District Raipur Chhattisgarh
4. Deputy Director, District Economic & Statics Department,
Gariyaband District Gariyaband Chhattisgarh

---- Respondents

For Petitioner	:	Shri Shakti Raj Sinha, Advocate
For Respondent-State	:	Shri Dheeraj Wankhede, G.A., on advance copy

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

Order On Board

26/09/2016

Heard on admission.

1. The petitioner has filed this petition ventilating grievance that though the petitioner has been transferred vide order dated 30.07.2016 (Annexure P/1), he is not being relieved. It is submitted that it is not a case of transfer from scheduled area to non-scheduled area but transfer from scheduled area to scheduled area.

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