

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5289 of 2016

Rishiraj Panuriya S/o Shri Meghraj Panuriya, Aged About 36 Years
Assistant Grade- II, Office Of Project Officer Integrated Child
Development Scheme, Geedam (Barsoor), Distt. Dantewada, R/o Village
Kasturbod, Block Baghbehera, Distt. Mahasamund, Civil And Revenue
Distt. Mahasamund, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Women And Child
Development Department, Mahanadi Bhavan, Mantralaya, New Raipur,
(Chhattisgarh)
2. Director, Women And Child Development Department, Indrawati Bhavan,
4th Floor, New Raipur, (Chhattisgarh)
3. Collector, South Bastar, Dantewada, District Dantewada, (Chhattisgarh)
4. District Program Officer, Women And Child Development Department,
Basoor, Distt. Dantewada, (Chhattisgarh)
5. The Project Officer, Women And Child Development Department, Basoor,
Distt. Dantewada, (Chhattisgarh)
6. Suresh Kumar Gajbhiye Assistant Grade- II, Office Of District Project
Officer, Mawabi, Distt. Jagadalpur (Bastar) (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Manoj Kumar Sinha, Advocate
For State	:	Shri Dhiraj Wankhede, Govt. Advocate

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

Order On Board

06/10/2016

Heard on admission.

1. The grievance of the petitioner is that despite there being an order of the
State Govt. passed on 30.7.2016, the petitioner is not being relieved.
2. Learned counsel for the State submits that as the petitioner is posted in a
scheduled area, as per the transfer policy dated 11.6.2016, unless his

reliever joins, the petitioner cannot be relieved.

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. 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.
5. 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