

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 5692 of 2016**

- Umend Das Tonde S/o Ramanuj Tande, Aged About 31 Years Rural Agriculture Extension Officer, Posted In The Office Of Deputy Director Agriculture, Sukma Distirct Sukma Chhattisgarh At Present Posted At Senior Agriculture, Development Officer Konta, Distirct Sukma Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Agriculture & Bio Technology, Mahanadi Bhawan, New Raipur, Distirct Raipur Chhattisgarh
2. Additional Secretary, Department Of Agriculture & Bio Technology, Mahandi Bhawan,new Raipur, Distirct Raipur Chhattisgarh
3. Collector, Sukma, Distirct Sukma Chhattisgarh
4. Deputy Director, Agriculture, Sukma, Distirct Sukma Chhattisgarh

---- Respondents

For Petitioner	:	Mr. F.S. Khare, Advocate
For State	:	Mr. D.R. Minj, Dy. Government Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****18/10/2016**

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 in view of the Government Policy, an officer posted in the scheduled area is not to be relieved unless his reliever will not join.
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