NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 363 of 2017

Buddhesh Kumar Dewangan S/o Kishore Kumar Dewangan, Aged About 39 Years Patwari P. C. N. 24 Dhondara R. I. C. & Tahsil Office Konta District Sukma, Chhattisgarh.

---- Petitioner

Versus

1. State Govt. Of C.G. Through The Secretary Revenue & Apada Department Ministry, Mahanadi Bhawan, P. S. Rakhi, New Raipur, Chhattisgarh.

2. Collector, (Land Record Section), Sukma Tahsil And District Sukma (Chhattisgarh).

3. Sub Divisional Officer, Sukma (Chhattisgarh)

---- Respondents

Shri Ajay Shrivastava, counsel for the petitioner/s.
Shri B.Gopakumar, Dy.A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/01/2017

The grievance of the petitioner is that even though the petitioner has been transferred vide order dated 03/12/2016, he is not being relieved.

2. Learned State counsel submits that presumably, the reason that the reliever of the petitioner has not come and the petitioner has been posted at a core scheduled area, he has not been 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 the order or keep in abeyance.

5. Accordingly, this petition is disposed off with a 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.

6. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti