

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.4622 of 2017

- Smt. Pooja Choubey D/o Shri Madhusudan Choubey, Aged About 30 Years W/o Shri Tarun Chaturvedi Posted As Supervisor, Unified Child Development Project Konta, Sector Kistaram, District Sukma, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Woman & Child Social Welfare Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh.
2. Collector, Sukma, District Sukma, Chhattisgarh.
3. District Programme Officer, Mahila Bal Vikas Vibhag, Sukma District Sukma, Chhattisgarh.
4. Project Officer, Konta Mahila Bal Vikas Vibhag, District Sukma, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Rahul Mishra, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/09/2017

Heard.

2. Grievance of the petitioner is that even though, the petitioner has been transferred vide order dated 01-08-2017, he is not being relieved.

3. Learned counsel for petitioner submits that under the transfer order, there is no stipulation to withheld relieving till reliever of the petitioner joins. It is also submitted that under the Transfer Policy dated 11-07-2017, withholding of relieving till the other officer joins, is available only in those cases, where the

employees are transferred from scheduled area to non-scheduled area and transfer of any officer/employee from scheduled area to scheduled area, there is no such requirement to withhold relieving till his reliever comes.

4. Learned State counsel could not point out from the transfer policy or from the transfer order that in case of transfer from scheduled area to scheduled area, an employee is not to be relieved till reliever comes.

5. Taking into consideration the aforesaid circumstances, it is observed that the transfer order is required to be complied with unless the same is modified, varied or kept in abeyance by the State Government by any order passed till today.

6. Accordingly, this petition is finally disposed of. The petitioner be relieved forthwith subject to the aforesaid conditions.

SD/-
(Manindra Mohan Shrivastava)
Judge