

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5195 of 2017

Harish Saxena S/o Late Shri Girjashankar Saxena, Aged About
51 Years R/o Behind Laxmi Sports, Gondpara District Bilaspur
Chhattisgarh. **---- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of
Social Welfare, Mahanadi Bhawan Mantralaya, Naya Raipur
Chhattisgarh.
2. Director, Department Of Social Welfare, Directorate, Social
Welfare Department, D. K. S. Bhawan, Raipur Chhattisgarh.
3. Collector, District Bastar Chhattisgarh.
4. Smt. Chameli Chandrakar, In- Charge Dy. Director, District Office
Of Social Welfare Department, Bilaspur Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Hemant Kesharwani, Advocate
For Respondent-State	:	Shri Avinash Singh, Panel Lawyer

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

Order On Board

09/10/2017

Heard on admission.

1. The grievance of the petitioner is that even though the petitioner has been transferred vide order dated 14.08.2017 passed by the State Government.
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