

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 1532 of 2017**

- Bharat Kumar Banjare S/o Shri Gopalal Banjare, Aged About 46 Years R/o Qtr. No. H/98, Pankhanjore, District Kanker (Chhattisgarh).

**---- Petitioner****Versus**

1. State Of Chhattisgarh, Through Secretary, Panchayat & Gramin Vikas Vibhag Department, Mantralaya Mahanadi Bhawan, Capital Complex, New Raipur, Police Station & Post Raipur, Civil & Revenue District Raipur (Chhattisgarh).
2. Director, Directorate, Panchayat Avam Samaj Kalyan Raipur, Civil & Revenue District Raipur (Chhattisgarh).
3. Chief Executive Officer, Zila Panchayat, North Bastar, Kanker, Civil & Revenue District North Baster (Chhattisgarh).

**---- Respondent**


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| For Petitioner       | Mr. Kunal Das, Advocate                  |
| For Respondent/State | Mr. Shashank Thakur, Government Advocate |

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**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****30/3/2017**

1. Mr. Kunal Das, learned counsel appearing for the petitioner submits that vide order dated 30.7.2016, the petitioner, working as Assistant Development Extension Officer (ADEO) has been transferred from Janpad Panchayat, Koylibeda District Kanker to Janpad Panchayat, Saja, District Bemetara on

administrative ground. However, the petitioner has not yet been relieved to join the new place of posting. Mr. Das further submits that once the order of transfer has been passed, it is for the Government to ensure that it is complied with immediately. He relies on a decision of the Supreme Court in the matter of ***Sreedam Chandra Ghosh Vs. State of Assam & others, (1996) 10 SCC 567***, in support of his contention that if the order is not complied with, a direction can be issued for enforcement thereof.

2. Learned counsel appearing for the State/respondents submit that if the transfer order dated 30.07.2016 (Annexure P/2) is still in existence and has not been complied with, appropriate steps would be taken to comply with the order.
3. If the aforesaid transfer order is still in existence and no other order has been passed in respect of the petitioner, the Government is under an obligation to comply with the same at once. It is accordingly directed that the transfer order shall be complied with forthwith, within a period of two weeks.
4. Accordingly, this petition is disposed of.

Sd/-

Judge

**(Prashant Kumar Mishra)**