

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1679 of 2017

- T. L. Dongare S/o Late Janak Lal Dongare, Aged About 55 Years, Principal Class -II, Govt. Industrial Training Institute, Ramanujganj, District Balrampur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Technical Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. Commissioner-Cum-Secretary, Directorate Employment And Training, Indrawati Bhawan, New Raipur, District Raipur (Chhattisgarh)
3. Joint Director, Skill Development, Kaushal Vikash, Technical Education And Employment, Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
4. Collector, Balrampur, District Balrampur (Chhattisgarh)
5. R. K. Verma, S/o Late J. L. Verma, Aged About 54 Years Posted As Training Superintendent at ITI Dhamdha, District Durg R/o Shanti Nagar, Bhilai, District Durg (Chhattisgarh)

---- Respondents

For Petitioner	Shri Uttam Pandey, Advocate
For Respondent-State	Shri S. P. Kale, Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

11/04/2017

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 25.07.2016, he is not being relieved.

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 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.
3. Thus, 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 of 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.
5. The petition is accordingly disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala