

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5694 of 2017

- Nanhe Ram Sahu S/o Shri D. R. Sahu Aged About 33 Years
R/o Village Varangpur, Post Office Ramhepur, Tahsil - Lormi,
District Mungeli Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Agriculture
And Bio Technology Department Mahanadi Bhawan Ministry
New Raipur Chhattisgarh.
2. Dy. Director. Agriculture Department Sukma, District Sukma
Chhattisgarh.

---- Respondent

And

WPS No. 5698 Of 2017

- Suresh Singh S/o Shri P. Singh, Aged About 52 Years
Assistant Grade -II Working At Office Dy. Director Vitnary
Services, Sukma District Sukma Chhattisgarh.

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Animal
Husbandry Development, Department, Mahanadi Bhawan,
Ministry New Raipur Chhattisgarh.
2. Deputy Director, Vitnary Services, Sukma District Sukma
Chhattisgarh.

3. ---- Respondent

For Petitioners	Shri Somkant Verma, Advocate.
For Respondents/State	Shri Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

01/11/2017

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 14.08.2017, 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 Chhattigarh 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. 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, the writ petition is disposed of with the direction that if the transfer order of the petitioner is still operative, the respondents' authority shall relieve the petitioner towards implementation of the transfer order dated 14.08.2017.
5. It is also made clear that if any administrative exigency impede the petitioner's relieving, the petitioner shall be informed in writing. It will also remain open for the respondents to reconsider the issue of transfer on account of any administrative exigency.

Sd/-

Judge
Prashant Kumar Mishra

