

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6055 of 2017**

- C. L. Bhatt S/o Late Shri Pooranlal Bhatt, Aged About 55 Years
R/o Water Resources Division, Circle Dantewada, Tahsil, Police
Station And District Dantewada, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of
Water Resources, Mahanadi, Mantralaya, Police Station And
Post Rakhi, New Raipur, District Raipur, Chhattisgarh.
2. Executive Engineer, Office Of Executive Engineer, Department
Of Water Resources, Division- Dantewada, District Dantewada,
Chhattisgarh.
3. Sub Divisional Officer, Water Resources Survey, Sub Division-
Dantewada, Headquarters- Kuakonda, District Dantewada,
Chhattisgarh.

---- Respondent

For Petitioner
For Respondent /State

Mr. Abhishek Pandey, Advocate
Mr. R. Tripathi, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****15/11/2017**

1. Heard.
2. 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.

3. 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.
4. 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.
5. 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.
6. 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)