

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6152 of 2017**

- Vijay Ekka S/o Shri Joseph Ekka, Aged About 42 Years Clerk (Panjiyan Lipik), Sub Registrar Office, Kanker, District North Bastar Kanker Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of Commercial Tax (Registration), Mantralaya, Mahanadi Bhawan, Naya Raipur Chhattisgarh
2. District Registrar, Office Of District Registrar Kanker, District North Bastar Kanker Chhattisgarh
3. Deputy Registrar, Office Of The District Registrar Kanker, District North Bastar Kanker Chhattisgarh
4. District Registrar, Office Of The District Registrar Raipur, District Raipur Chhattisgarh
5. Deputy Registrar, Office Of Deputy Registrar Arang, District Raipur Chhattisgarh
6. Shri Kishore Kumar Nag, Registration Clerk (Panjiyan Lipik), Sub Registrar Office, Arang, District Raipur Chhattisgarh

---- Respondent

For Petitioner	Mr. S.S. Rajput, Advocate
For Respondent /State	Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****20/11/2017**

1. Heard on admission.

2. The petitioner has filed this petition for issuance of direction to the respondent/transferring authority to relieve him on the grievance that though the transfer order has been issued by the State Government, but till date, he has not been 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 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 by the State Government itself.
4. Therefore, in these circumstances, the petition is disposed off with the direction that the petitioner shall be relieved forthwith by the controlling authority in compliance of order (Annexure P/1) unless the State has modified, varied or cancelled the impugned transfer order. As posting of an officer in scheduled area is on administrative exigency and public interest and another employee has been posted, it shall be ensured that one who has been posted, joins, failing which, appropriate disciplinary action will have to be taken unless the transfer is stayed or kept in abeyance either by the Government or by the Courts.

Sd/-

(Manindra Mohan Shrivastava)

Judge

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