

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6296 of 2017**

- Lali Kumar Patel S/o Trilochan Prasad Patel, Aged About 49 Years, Presently Posted And Working As Patwari, Tahsil Pathalgaon, District Jashpur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur District Raipur Chhattisgarh
2. Collector (Land Records), Jashpur District Jashpur Chhattisgarh
3. Sub Divisional Officer (Revenue), Pathalgaon District Jashpur Chhattisgarh
4. Tahsildar, Pathalgaon District Jashpur Chhattisgarh

---- Respondent

For Petitioner	Mr. Sanjay Patel, Advocate
For Respondent/State	Ms. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****22/11/2017**

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 21.7.2016, but 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 21.7.2016.
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)

Shyna