

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6575 of 2017**

- Smt. Anjana Dubey W/o Shri Jitendra Dubey, Aged About 30 Years Occupation Service, Posted As Food Inspector, Gariyaband, District Gariyaband, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Principal Secretary, Food Public Distribution And Consumer Protection Department, Mahanadi Bhawan, New Raipur, Chhattisgarh
2. Collector Office Of Collectorate, Gariyaband, District-Gariyaband, Chhattisgarh
3. District Food Officer, Office Of Collectorate, Gariyaband, District Gariyaband, Chhattisgarh

---- Respondent

For Petitioner
For Respondents

Shri Abhishek Pandey, Advocate.
Shri Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****29/11/2017**

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 30.07.2016, she 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 30.07.2016.
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

Akhilesh