

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6645 of 2017**

- Milan Ram Rathiya S/o Shri Fool Singh Rathiya, Aged About 35 Years, Working As Tracer, Water Resources Department, Dantewada, District Dantewada Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Water Resources, Department, Mahanadi Bhawan, Ministry New Raipur Chhattisgarh.
2. Executive Engineer, Water Resources Department, Division - Dantewada, District Dantewada Chhattisgarh.

---- Respondent

For Petitioner	Mr. Somkant Verma, Advocate
For Respondent /State	Mr. Adhiraj Surana, Dy. GA

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 14.08.2017, 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 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.

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)

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