

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6833 of 2017**

- Yashwant Kumar Baghel S/o Shri Khamhan Prasad Baghel, Aged About 34 Years Occupation Assistant Development Extention Officer, CEO Office Janpad Panchayat Farsabahar, District Jashpur R/o Village Pipartarai Via Ganiyari , Bilaspur District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Manralaya, New Raipur, District Raipur Chhattisgarh.
2. State Of Chhattisgarh Through The Joint Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Manralaya, New Raipur, District Raipur Chhattisgarh.
3. Uppar Development Commissioner, Office Of The Development Commissioner, Indrawati Vibhagadhyaksha Bhawan, Block 1 Bhutal Kaksh No. 43 (C I V) New Raipur, District Raipur Chhattisgarh.
4. Chief Executive Officer, Zila Panchayat, Farsabahar, District Jashpur Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat, Farsabahar, District Jashpur Chhattisgarh

---- Respondent

For Petitioner	Shri Suresh Kumar Verma, Advocate.
For Respondents	Shri Sameer Behar, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****07/12/2017**

1. 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.

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 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

Akhilesh