

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2433 of 2017**

- Guru Prasad Nag S/o Raghunath Nag, Aged About 36 Years R/o Village Kosali, Post Heeranoor, Police Station Gidam, District Dantewada (Chhattisgarh).

---- **Petitioner****Versus**

1. State of Chhattisgarh Through The Secretary, Panchayat And Rural Welfare Department, Mahanadi Bhawan, Mantralaya, New Raipur (Chhattisgarh).
2. The Collector, District Bijapur (Chhattisgarh).
3. The Chief Executive Officer-Cum- Member Secretary, Project Execution Unit, Chhattisgarh Rural Road Development Agency, District Bijapur (Chhattisgarh).

---- **Respondents**

For Petitioner	:	Shri Aman Kesharwani, Advocate
For Respondents-State	:	Shri SP Kale, Dy. AG for the State

HON'BLE The Vacation Judge**Order On Board****26/05/2017**

1. Learned counsel appearing for the petitioner submits that vide order dated 29.07.2016 (Annexure P/1), the petitioner, working as Sub-Engineer at Project Execution Unit, Chhattisgarh Rural Road Development Agency, Bijapur has been transferred to Janpad Panchayat, Bhairamgarh, District Bijapur, on his own request. However, the petitioner has not yet been relieved to join the new place of posting. Shri Kesharwani further submits that once the order of transfer has been passed, it is for the government to ensure that it is complied with immediately. He relies on a decision of the Supreme Court in ***Sreedam Chandra Ghosh Vs. State of Assam &***

others, (1996) 10 SCC 567, in support of his contention that if the order is not complied with, a direction can be issued for enforcement thereof.

2. Learned counsel appearing for the State/respondents submit that if the transfer order dated 29.07.2016 (Annexure P/1) is still in existence and has not been complied with, appropriate steps would be taken to comply with the order.
3. If the aforesaid transfer order is still in existence and no other order has been passed in respect of the petitioner, the government is under an obligation to comply with the same at once. It is accordingly directed that the transfer order shall be complied with forthwith, within a period of two weeks.
4. Accordingly, this petition is disposed of.

Sd/-

V. Judge

Prashant Kumar Mishra

Ashu