

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3185 of 2017

Bholanath Saha S/o Late N. C. Saha, Aged About 56 Years Presently Working As Patwari Revenue Department, Patwari Halka No. 13, Village Barsur, Tahsil Gidam, District Dantewada, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Commissioner, Bastar Division, Jagdalpur, Chhattisgarh.
3. Collector, Dantewada, District Dantewada, Chhattisgarh.

---- Respondents

Shri CJK Rao, counsel for the petitioner/s.
Ms. Sunita Jain, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/07/2017

Heard on admission.

1. The petitioner has filed this petition for issuance of direction to respondent – transferring authority to relieve him on the grievance that though the transfer order has been issued by the State Government on 30/07/2016, till date, he has not been relieved.
2. Once there is an order of transfer, unless the State Government, itself modified/ cancelled or kept in abeyance, all subordinate authorities are obliged under the law to comply with the order.
3. 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 by the State Government itself.

4. Therefore, in these circumstances, this petition is disposed off with the direction that the petitioner shall be relieved forthwith by the controlling authority in compliance of order dated 30/07/2016 unless the State has modified, varied or cancelled the impugned transfer order.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti