

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7010 of 2017**

- Yogendra Parganiha S/o Shri Nand Kumar Parganiha Aged About 38 Years R/o Model Town Bhilai Posted In The Post Of Patwari At P.H. No. 40 Ranim Ahiwara, Tehsil Dhamdha, Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Revenue Department, Mahanadi Bhawan, Raipur, Chhattisgarh.
2. Dy. Secretary Revenue Department Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
3. Collector, Durg, Chhattisgarh.
4. Sub Divisional Officer (Revenue) S D O Office Dhamdha, Durg, Chhattisgarh.
5. Neel Kamal Soni Patwari Patwari Halka No. 49 Tehsil Dhamdha, Durg, Chhattisgarh.

---- Respondent

For Petitioner	Shri T.K. Tiwari, Advocate.
For Respondents/State	Shri Sameer Behar, P.L.

Order On Board**12/12/2017**

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 21.07.2016, 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 21.07.2016.
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