NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2691 of 2017

Ajay Kumar Baghel S/o Shri Ram Avtar Baghel Aged About 27 Years Occupation: Patwari, R/o Ravatpura Nagar, Mat Purena, Infront Of Active Kids Academy, Raipur, P.S.- Tikrapara, Tahsil & District -Raipur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Revenue And Disaster Management, Mahanadi Mantralaya, Police Station & Post- Rakhi, New Raipur, District- Raipur, Chhattisgarh
2. Collector, Office Of Collectorate, Gariyaband, District- Gariyaband, Chhattisgarh
3. Tahsildar, Tahsil Office- Mainpur, District- Gariyaband, Chhattisgarh

---- Respondents

For Petitioner : Shri Abhishek Pandey, Advocate
For State : Ms. Sunita Jain, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/06/2017

Heard.

1. This petition has been filed by the petitioner aggrieved by his non-relieving despite transfer order passed on 30.7.2016, transferring the petitioner from the present place of posting.
2. Learned counsel for the petitioner submits that once there is order of transfer passed, unless it is cancelled, varied or modified, it is required to be complied with, as held by this Court earlier on 7.4.2017 in WPS No.1570 of 2017.
3. Learned counsel for the State submits that the order has remained inoperative for almost one year and, therefore, at this stage, the matter may be disposed off for consideration of the Government.
4. It is well settled that if an order of transfer has been passed, it is required to be executed unless it is cancelled, varied or modified. It is the case of the petitioner that till date transfer order stands. However, taking into consideration that

almost one year has elapsed, the State Government should consider the matter. If the Government decides not to change the transfer order dated 30.7.2016, it goes without saying that it may be amended and the petitioner should be relieved to join at the new place of posting. Let the decision be taken within 30 days from the date of receipt of copy of this order.

5. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen