

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2006 of 2017

- Devilal Kori, S/o Late Boothala Kori, Aged About 57 Years, Posted as Assistant Sub-Divisional Officer, Irrigation Department T. D. P. P., Sub Division, Konta, Police Station Konta, District Sukma (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Irrigation Department, Mahanadi Bhawan, Naya Raipur (Chhattisgarh)
2. Chief Engineer, Mahanadi Project, Irrigation Department, Raipur (Chhattisgarh)
3. Superintending Engineer, Indrawati Project Division, Jagdalpur, District Bastar (Chhattisgarh)
4. Executive Engineer, Irrigation Department, Sukma, District Sukma (Chhattisgarh)

---- Respondents

For Petitioner	Shri Punit Ruparel, Advocate
For Respondent-State	Shri Satish Gupta, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

27/04/2017

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 13.07.2016, 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 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.

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, this petition is disposed of with direction that if the transfer order of the petitioner is not cancelled, varied or kept in abeyance by the respondent-Transferring Authority, the petitioner would be required to be relieved towards implementation, execution of the transfer order.
5. The petition is accordingly disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala