

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2239 of 2017**

- Santosh Kumar Tiwari S/o. Shri Shanker Prasad Tiwari, Aged About 34 Years Presently Working As Constable At Secure Center Rajnandgaon, District Rajnandgaon (Chhattisgarh)

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Home Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
2. Director General of Police, Chhattisgarh, Police Head Quarter, Raipur (Chhattisgarh)
3. The Superintendent of Police, Rajnandgaon, Chhattisgarh.

---- Respondent

For Petitioner	:	Shri Tarun Dansena, Advocate
For Respondents-State	:	Shri Shashank Thakur, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****15/05/2017**

1. The petitioner has filed this petition on the grievance that despite order dated 19.01.2017 whereby the petitioner was transferred from Rajnandgaon to Bilaspur, the Superintendent of Police, Rajnandgaon, is not relieving the petitioner to join at the transferred place.
2. The issue regarding implementation of transfer order has been considered by this Court in the case of **Ms. Manisha Agrawal v. State of Chhattisgarh and Others, 2015(4) C.G.L.J. 182**, wherein relying upon several judgment 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.

3. In view of the aforesaid order, unless the Transferring Authority, itself, has kept in abeyance the transfer order or has modified or cancelled, the other authority subordinate to him are under an obligation to comply with the transfer order. Therefore, this petition is disposed off with the direction that the petitioner shall be relieved forthwith by the controlling authority subject to the observation made above.
4. The petition is disposed of.

Sd/-

Judge

Prashant Kumar Mishra

Ashu