

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2311 of 2017**

- Smt. Dipika Sahu W/o Mukesh Kumar Sahu, Aged About 30 Years Working As Radiographer, At Community Health Centre, Farasgaon, District- Kondagaon Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- Secretary, Department Of Health And Family Welfare, Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur Chhattisgarh.
2. Director, Directorate Health Services, Indrawati Bhawan, 3rd Floor, New Raipur, District- Raipur Chhattisgarh.
3. Chief Medical And Health Officer, Kondagaon, District- Kondagaon Chhattisgarh.

---- Respondent

For Petitioner
For Respondent /State

Mr. Ajay Shrivastava, Advocate
Mr. SP Kale, Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****18/5/2017**

1. Heard.
2. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 26.7.2016, she is not being relieved.
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 employees have been transferred, it is required to be complied with unless it is modified, varied or cancelled.

4. 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.
5. Accordingly, the petition is disposed of with the 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.

Sd/-

Judge

(Prashant Kumar Mishra)