

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2354 of 2017**

- Chhunu Lal Sahu S/o Gaya Ram Sahu, Aged About 34 Years Occupation- Sub Engineer, Under The Office Of The Executive Engineer, Chhattisgarh Rural Road Development Authority, Project Division No. 1, Jagdalpur, District Bastar, R/o In Front Of Nawai Police Station Utai, Road Maroda Tank, Bhilai, District Durg, Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralay Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Joint Secretary, Department Of Panchayat And Rural Development, Mantralay Mahanadi Bhawan, New Raipur, Chhattisgarh.
3. Chief Executive Officer, Chhattisgarh Rural Road Development Authority Civil Lines Raipur, District Raipur, Chhattisgarh.
4. Chief Executive Engineer, Office Of The Commissioner Rural Engineering Development Services, Jila Panchayat Bijapur, District Bijapur, Chhattisgarh.
5. Executive Engineer, Divisional Executive Units, Chhattisgarh Rural Road Development Authority, District Bastar/bijapur, Chhattisgarh.
6. Yashwant Kumar Sahu, Sub Engineer, Posted At Jila Panchayat Bijapur, Divisional Executive Unit, Chhattisgarh Rural Road Development Authority, Distt. Bastar/bijapur, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Varun Sharma, Advocate
For Respondents-State	:	Shri Shashank Thakur, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****19/05/2017**

1. Learned counsel appearing for the petitioner submits that vide order dated 29.07.2016 (Annexure P/1), the petitioner, working as Sub-Engineer at

Bastar, has been transferred to Kanker, on administrative exigency. However, the petitioner has not yet been relieved to join the new place of posting. Shri Sharma further submits that once the order of transfer has been passed, it is for the government to ensure that it is complied with immediately. He relies on a decision of the Supreme Court in ***Sreedam Chandra Ghosh Vs. State of Assam & others, (1996) 10 SCC 567***, in support of his contention that if the order is not complied with, a direction can be issued for enforcement thereof.

2. Learned counsel appearing for the State/respondents submit that if the transfer order dated 29.07.2016 (Annexure P/1) is still in existence and has not been complied with, appropriate steps would be taken to comply with the order.
3. If the aforesaid transfer order is still in existence and no other order has been passed in respect of the petitioner, the government is under an obligation to comply with the same at once. It is accordingly directed that the transfer order shall be complied with forthwith, within a period of two weeks.
4. Accordingly, this petition is disposed of.

Sd/-

Judge

Prashant Kumar Mishra

Ashu