

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7093 of 2016**

Nemichand Sinha S/o Late Shri Padumram Sinha, Aged About 47 Years
 Posted As Headmaster, Middle School, Umla, Block Keshkal, District
 Kondagaon, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education
 Department, Mahanadi Bhawan, New Raipur, P.S. Rakhi, District Raipur,
 (Chhattisgarh)
2. The Collector, District Kondagaon, (Chhattisgarh)
3. The District Education Officer, Kondagaon, District Kondagaon,
 (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Rahul Mishra, Advocate.
For State	:	Mr. D.R. Minj, Dy. G.A., on advance copy

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****09/01/2017**

Heard.

1. The grievance of the petitioner is that even though the petitioner has been transferred vide order dated 30th July, 2016, he is not being relieved.
2. Learned counsel for the State submits that unless the State Govt itself stay, vary or modify the transfer order, the authority subordinate to the State are liable for compliance of the order.
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 employee has been transferred, it is required to be complied with unless it is modified, varied or cancelled.

4. Therefore, it is directed that respondent No.3 shall forthwith relieve the petitioner towards compliance of the order of transfer so that the petitioner can submit his joining at the transferred place as per the transfer order.

5. The petition is accordingly finally disposed off with the observation and direction as above.

Sd/-

(Manindra Mohan Shrivastava)
Judge