

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 187 of 2017

1. Aalekh Toppo S/o Shri Bhukhu Ram Nishad, Aged About 33 Years Patwari, Tahsil And District Sukma (Chhattisgarh)
2. Sangeeta Markam, S/o Shri Budharu Ram Markam, Aged About 43 Years Patwari, Tahsil Office Konta, And District Sukma (Chhattisgarh)
3. Indrajeet Singh Kavar, S/o Shri Neelam Singh Kanwar, Aged About 33 Years Patwari, Tahsil And District Sukma (Chhattisgarh)
4. Chait Ram Churendra, S/o Shri Laxman Singh, Aged About 42 Years Patwari, Gandhi Nagar, Sukma District Sukma (Chhattisgarh)

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue & Apada Department Ministry, Mahanadi Bhawan, P. S. Rakhi, New Raipur (Chhattisgarh)
2. Collector, (Land Record Section), Sukma, Tahsil And District Sukma (Chhattisgarh)
3. Sub Divisional Officer, Sukma, Tahsil And District Sukma (Chhattisgarh)

---- Respondents

For Petitioners	:	Shri Ajay Shrivastava, Advocate
For Respondent-State	:	Shri B. Gopa Kumar, Dy. A.G. on advance copy

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

16/01/2017

Heard on admission.

1. The grievance of the petitioners is that even though the

petitioners have been transferred vide order dated 21.07.2016, they are not being relieved.

2. Learned State counsel submits that presumably, the reason that the reliever of the petitioners has not come and the petitioners have been posted at a core scheduled area, they have not been 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 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.

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

Sd/-

(Manindra Mohan Shrivastava)
Judge