

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 279 of 2017

Chandra Shekhar Paikra S/o Shri Krishna Mohan Paikra, Aged About 31 Years
R/o Village Honhed, P.S. & Tahsil Keshkal, District Kondagaon, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Revenue & Disaster Management, Mantralaya, Mahanadi Bhawan, New Raipur, (Chhattisgarh)
2. Collector, Office Of Collectorate, Kondagaon, District Kondagaon, (Chhattisgarh)
3. Sub Divisional Officer (Revenue), Keshkal, Police Station Keshkal, District Kondagaon, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Alok Kumar Pandey, Advocate
For State	:	Shri D.R. Minj, Dy. Govt. Advocate

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

Order On Board

25/01/2017

Heard on admission.

1. The grievance of the petitioner is that even though the petitioner has been transferred vide order dated 21st July, 2016, the petitioner is not being relieved.
2. Learned State counsel submits that presumably, the reason that the reliever of the petitioner has not come and the petitioner has been posted at a core scheduled area, he has 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 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, 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 petitioner is not cancelled, varied or kept in abeyance by the respondent-Transferring Authority till date, the petitioner would be required to be relieved towards implementation, execution of the transfer order.

Sd/-
(Manindra Mohan Shrivastava)
Judge