

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 619 of 2017

Hiteshwar Singh Paikra S/o Shri Lal Kishor Paikra, Aged About 31 Years Presently Working As Sub Engineer In Sub Division Office Of Public Work Department, Division Ramanujganj, District Balrampur Ramanujganj, (Chhattisgarh) ---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Public Work Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, (Chhattisgarh)
2. Engineer In Chief Public Work Department, Raipur, (Chhattisgarh)
3. Executive Engineer, Public Work Department, Division Ramanujganj, District Balrampur Ramanujganj, (Chhattisgarh)

---- **Respondents**

For Petitioner	:	Shri Hemant Kesharwani, Advocate
For Respondent-State	:	Shri D.R. Minj, Dy. G.A., on advance copy

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

Order On Board

06/02/2017

Heard on admission.

1. The grievance of the petitioner is that even though the petitioner has been transferred vide order dated 30.07.2016 passed by the State Government.
2. 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.

3. 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.

4. 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, the petitioner would be required to be relieved towards implementation, execution of the transfer order.

Sd/-

(Manindra Mohan Shrivastava)
Judge