

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 711 of 2017

Nikhil Rao, S/o. Shri P. Rao, Aged About 30 Years, Presently working as Constable at Police Line Rajnandgaon, District Rajnandgaon, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh, Through: The Secretary, Home Department, Mahanadi Bhawan, New Raipur, (Chhattisgarh)
2. Director General Of Police, Chhattisgarh, Police Head Quarter, Raipur, (Chhattisgarh)
3. The Superintendent Of Police, Rajnandgaon, District Rajnandgaon, (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Somkant Verma, Advocate
For State	:	Mr. R.K.Gupta, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/02/2017

Heard on admission.

1. The petitioner has filed this petition on the grievance that despite order dated 24.09.2016 whereby the petitioner was transferred from Rajnandgaon to Bilaspur, the Superintendent of Police, Rajnandgaon, is not relieving the petitioner to join at the transferred place.
2. The issue regarding implementation of transfer order has been considered by this Court in the case of **Ms. Manisha Agrawal v. 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 by the State Government itself.

3. In view of the aforesaid order, unless the Transferring Authority, itself, has kept in abeyance the transfer order or has modified or cancelled, the other authority subordinate to him are under an obligation to comply with the transfer order. Therefore, this petition is disposed off with the direction that the petitioner shall be relieved forthwith by the controlling authority subject to the observation made above.
4. The petition is disposed off.

Sd/-
(Goutam Bhaduri)
Judge