

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 38 of 2017**

Devnarayan Sahu S/o Shri Mukul Lal Sahu, Aged About 30 Years
 Presently Posted As R H C (Rural Health Convener) At- S.H.C.
 Litipara, Tah Piparchhadi, District Gariyaband, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Health And Family Welfare, Chhattisgarh Government, Mahanadi Bhawan, Mantralaya, Naya Raipur, P.S. Rakhi, Raipur (Chhattisgarh)
2. The Commissioner, Health Services, Chhattisgarh Government Old Nurses Hostel, Raipur, (Chhattisgarh)
3. Director, Directorate Health Service Indravati Bhawan, Raipur (Chhattisgarh)
4. Chief Medical And Health Officer, Gariyaband, Distt. Gariyaband, (Chhattisgarh)
5. Block Medical Officer, Community Health Center, District Gariyaband (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Rakesh Dubey, Advocate
For State	:	Shri D.R. Minj, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****05/01/2017**

Heard on admission.

1. The grievance of the petitioner is that even though the petitioner has been transferred by the order of the State Government passed as back as on 27.10.2016 and he has been relieved on 16.12.2016 by the Block Medical Officer, Chief Medical and Health Officer, Gariyaband is not approving in writing the relieving of the petitioner.
2. Learned State counsel submits that the Block Medical Officer has already relieved the petitioner.
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. Unless the transfer order has been cancelled, varied or modified by the State Govt., the petitioner is required to be relieved. Let the concerned authority implement the transfer order and relieve the petitioner forthwith.

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

**Sd/-
(Manindra Mohan Shrivastava)
Judge**