

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2626 of 2017

Archana Mishra W/o Dr. Dinesh Mishra, Aged About 41 Years R/o.
Rajendranagar, Bilaspur, Tehsil, P. S. And Post Bilaspur, District
Bilaspur (Chhattisgarh) **---- Petitioner**

Versus

1. State Of Chhattisgarh Through : Secretary Panchayat And Gramin
Vikas Department, Capital Complex, New Raipur, District Raipur
(Chhattisgarh)
2. Collector, Balod, District Balod (Chhattisgarh).
3. Zila Panchayat, Balod Through Its Chief Executive Officer, Zila
Panchayat Balod, District Balod (Chhattisgarh)
4. Chief Executive Officer, Zila Panchayat, Balod, District Balod
(Chhattisgarh) **---- Respondents**

For Petitioner	:	Mr. Manoj Paranjpe, Advocate
For State	:	Mr. Satish Gupta, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

21/06/2017

Heard

1. This petition has been filed by the petitioner seeking issuance of direction to respondents No.3 & 4 for relieving of the petitioner in execution and implementation of the Government's order dated 29.04.2017 by which the petitioner has been transferred.
2. It has been stated on affidavit in the petition and argued by learned counsel for the petitioner that the order of the State Government stands and has not been varied, cancelled or kept in abeyance, therefore, respondents No.3 & 4 are bound to obey the order of the State Government.
3. Learned State counsel could not dispute the legal position and submits that if the transfer order of the petitioner is not cancelled,

varied or kept in abeyance by the transferring authority, it is required to be complied with.

4. In view of the above, 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. The order was passed by the Government on 29.04.2017 and if till date, it has not been cancelled, varied or modified, the respondents No.3 & 4 are bound to relieve the petitioner.
5. Let it be done forthwith.
6. With the said direction, the petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E