

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5456 of 2017

Kishor Kumar Diwan S/o Shri K.L.Diwan, Aged About 37 Years Presently Working As Veterinary Attendant At Veterinary Dispensary Sonasilli, Police Station Pithora, District Mahasamund Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Undersecretary, Department Of Veterinary, Development, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur Chhattisgarh.
2. Director Of Veterinary Services, Chhattisgarh Capital Complex, Indravati Bhawan, Naya Raipur, District Raipur Chhattisgarh.
3. Deputy Director, Veterinary Services Mahasamund, District Mahasamund Chhattisgarh.
4. The Collector, Mahasamund, District Mahasamund Chhattisgarh.

---- Respondents

Shri A.K.Yadav, counsel for the petitioner/s.
Shri Chandresh Shrivastava, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

13/10/2017

Heard on admission.

1. The petitioner has filed this petition for issuance of direction to the respondent / transferring authority to relieve him on the grievance that though the transfer order has been issued by the State Government, till date, he has not been relieved.
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 by the State Government itself.

3. Therefore, in these circumstances, this petition is disposed off with the direction that the petitioner shall be relieved forthwith by the controlling authority in compliance of order (Annexure P/1) unless the State has modified, varied or cancelled the impugned transfer order. As posting of an officer in scheduled area is on administrative exigency and public interest and another employee has been posted, it shall be ensured that one who has been posted, joins, failing which, appropriate disciplinary action will have to be taken unless the transfer is stayed or kept in abeyance either by the Government or by the Courts.

Sd/-
(**Manindra Mohan Shrivastava**)
J U D G E

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