

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7064 of 2016**

Sagar Chandrakar S/o Late Bhojral Chandrakar, Aged About 29
Years Presently Working As Attendant, At Present Posted At
Government Outline Dispensary, Khallari, Block Bagbahara, P.S. &
Tahsil Bagbahara, Distt. Mahasamund, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of
Agriculture, Husbandary Development And Fisheries, Mantralaya,
Mahanadi Bhawan, Naya Raipur, Distt. Raipur, (Chhattisgarh)
2. The Collector, Mahasamund, Distt. Mahasamund, (Chhattisgarh)
3. The Deputy Director, Veterinary Services, Mahasamund, Distt.
Mahasamund, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Sanjay Agrawal, Advocate
For State	:	Shri B. Gop Kumar, Dy. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****02/01/2017**

Heard on admission.

1. The petitioner has filed this petition on the grievance that even though the State Government has passed the transfer order on 30.07.2016, he is not being relieved.
2. The order of transfer shows that there is no condition with regard to relieve, but on the contrary, order clearly shows that petitioner shall be treated having been relieved after 15 days and in the event of non compliance of the order, concerned controlling authority shall be subjected to disciplinary action.
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 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.

4. In view of the aforesaid, unless the transfer order is cancelled, varied or kept in abeyance by the respondent-Transferring Authority, the same is required to be complied with.

5. In fact, the petitioner is to be treated as relieved to join at the new place of posting. The petitioner shall be relieved forthwith and allowed to join at the new place of posting in compliance of the transfer order.

6. With the aforesaid direction/observation, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge