

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 279 of 2018

Poshan Lal Yadav S/o Shri Sahdev Yadav, Aged About 30 Years Working As Pharmacist Grade - II, At Primary Health Centre Kusmi, District Bemetara Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Health And Family Welfare, Mahanadi Bhawan, Mantralaya New Raipur, District Raipur Chhattisgarh.

2. Chief Medical And Health Officer, Bemetara District Bemetara Chhattisgarh.

---- **Respondents**

For Petitioner : Shri Ajay Shrivastava, Advocate
For Respondent-State : Shri Chandresh Shrivastava, PL

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

10/01/2018

Heard on admission.

1. This petition has been filed by the petitioner for issuance of direction to respondent-transferring authority to relieve him on the grievance that though the transfer order has been issued by the State Government on 13.08.2017, 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 executed, 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 dated 13.08.2017, unless the State has not modified, varied or cancelled the impugned transfer order.

Sd/-

(Manindra Mohan Shrivastava)
Judge