

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 765 of 2018

Shivendra Chandrakar S/o Shri Ghanshyam Chandrakar, Aged About 29 Years
R/o Village Belsonda, Post Belsonda, Tahsil Mahasamund, P.S. Mahasamund,
District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Revenue And Disaster Management, Mahanadi Mantralaya, Police Station And Post Rakhi, New Raipur, District Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
2. Collector, Office Of Collectorate, Mahasamund, District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh
3. Tahsildar, Tahsil Office, Saraipali District Mahasamund (Chhattisgarh), District : Mahasamund, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Abhishek Pandey, Advocate
For State	:	Shri Majid Ali, Dy. Govt. Advocate

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

Order On Board

22/01/2018

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 14.08.2017, he is not being 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 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.

3. Therefore, in these circumstances, either the transfer order has to be implemented or the State has the option to cancel, vary or modify or keep in abeyance.
4. Accordingly, this petition is disposed of with the direction that if the transfer order of the petitioner is not cancelled, varied or kept in abeyance by the respondent-Transferring Authority, the petitioner would be required to be relieved towards implementation, execution of the transfer order.
5. The petition is accordingly disposed of.

Sd/-
(Manindra Mohan Shrivastava)
Judge