

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 945 of 2018

Chetan Kumar Chandrakar S/o Shri Manharan Lal Chandrakar,
Aged About 39 Years R/o Village Belsonada, Post Belsonada, 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, Basna, District Mahasamund Chhattisgarh.,
District : Mahasamund, Chhattisgarh

---- Respondents

For Petitioner : Mr. Abhishek Pandey, Advocate.

For State : Mr. Chandresh Shrivastava, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

30/01/2018

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 30.07.2016, 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