

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 1140 of 2018**

Onkar Kaiwart S/o Late Deo Prasad Kaiwart, aged about 32 years, R/o Occupation Sub Engineer, under the Office of Jila Panchayat, Kanker Chhattisgarh. Permanent address R/o Village Udeband, Post Pisoud, Tahsil Janjgir, District Janjgir Champa, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through Secretary, Department of Panchayat and Rural Development, Mantralay Mahanadi Bhawan, new Raipur, District Raipur, Chhattisgarh
2. Joint Secretary, Department of Panchyat and Rural Development, Mantralay Mahanadi Bhawan, new Raipur, District Raipur, Chhattisgarh
3. Chief Executive Officer, Jila Panchayat, Kanker
4. Chief Engineer, Rural Engineering Service Development Commission Office, Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Aman Kesharwani, Advocate
For Respondent/State	:	Shri Mazid Ali, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****09/02/2018**

Learned counsel for the petitioner submits that the present petition stands squarely covered by the judgment of this Court in the case of Ms. Manisha Agrawal Vs. State of Chhattisgarh and Others, 2015 (4) C.G.L.J. 182. He submits that the petitioner in the instant case was transferred on 14.08.2017 from Jila Panchyat Kanker to Janpad Panchyat, Palari, Balodabazar. Though there was an order of transfer issued on 14.08.2017, till date the petitioner has not been relieved. This in fact is the grievance of the petitioner. Counsel for the

petitioner further submits that the order of transfer till date has not been modified or cancelled by the respondents and therefore, there should not be any impediment in execution of the said order of transfer.

2. The State counsel does not dispute that the matter is covered by the judgment of this Court in the case of Ms. Manish Agrawal.

3. Accordingly, the present writ petition is also disposed of with a direction to respondent no.3 to consider the case of the petitioner within a period of 4 weeks from the date of receipt of certified copy of this order for relieving him from Kanker to Baloda Bazar as per the order of transfer dated 14.08.2017. Unless the respondent no.3 is convinced that the order of transfer cannot be executed for reasons, he would intimate the petitioner accordingly.

**Sd/-
(P. Sam Koshy)
JUDGE**