

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1352 of 2018

Mohan Lal Sahu S/o S/o Shri Baldev Ram Sahu, Aged About 34
Years Caste Teli, Patwari, Posted At Patwari Halka No. 5, Tahsil
Marwahi, Civil And Revenue District Bilaspur (Chhattisgarh),
District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue And
Disaster Management Department, Mantralay, Mahanadi Bhawan,
Capital Complex, Naya Raipur, District Raipur Chhattisgarh., District
: Raipur, Chhattisgarh
2. The Collector Bilaspur, District Bilaspur (Chhattisgarh), District :
Bilaspur, Chhattisgarh
3. The Sub Divisional Officer (Revenue), Pendra Road, District
Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh
4. The Tahsildar, Tahsil Marwahi, District Bilaspur (Chhattisgarh),
District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner : Mr. Dharmesh Shrivastava, Advocate.

For State : Mr. Majid Ali, Dy. GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

23/02/2018

Heard on admission.

1. The petitioner has filed this petition 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, 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 complied with 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 petitioner shall be relieved forthwith by the controlling authority in compliance of order (Annexure P/1) unless the State has modified, varied or cancelled the impugned transfer order. As posting of an officer in scheduled area is an administrative exigency and public interest and another employee has been posted, it shall be ensure that one who has been posted, joins failing which, appropriate disciplinary action will have to be taken unless the transfer is stayed or kept in abeyance either by the Government or by the Courts.

Sd/-

(Manindra Mohan Shrivastava)

Judge