

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1618 of 2018

Ramkumar Baghel S/o Rajendra Kumar Singh, Aged About 30 Years Occupation Service, Posted As Hostel Superintendent In Pre Metric Boys Hostel, Shekharpur, Block Patthalgaon, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Principal Secretary, Tribal Welfare Department, Mahanadi Bhawan, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector, Jashpur, Office Of Collectorate Jashpur, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
3. Assistant Commissioner, Tribal Development Department, Jashpur, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
4. The Circle Organizer, Tribal Development Branch, Block Farsabahar, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Abhishek Pandey, Advocate
For State	:	Shri Dhiraj Wankhede, Govt. Advocate

S.B. Hon'ble Shri Justice P. Sam Koshy

Order On Board

20/02/2018

Heard on admission.

1. The grievance of the petitioner is that even though the petitioner has been transferred vide order dated 14.8.2017, he is not being relieved. It is stated that till date, the transfer order has not been stayed, varied or modified by the transferring authority.
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 till date, the petitioner would be required to be relieved towards implementation, execution of the transfer order.

Sd/-
(P. Sam Koshy)
Judge