

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1624 of 2018

Ashok Kumar Mahesh S/o Manaram, aged about 29 years, Occupation Service, Posted as Hostel Superintendent in Pre Metric Boys Hostel, Tamta, Block Patthalgaon, District Jashpur (C.G.).

---Petitioner

Versus

1. State of Chhattisgarh, through the Principal Secretary, Tribal Welfare Department, Mahanadi Bhawan, New Raipur, C.G.
2. Collector Jashpur, Office of Collectorate Jashpur, District Jashpur, C.G.
3. Assistant Commissioner, Tribal Development Jashpur, District Jashpur (C.G.).
4. The Circle Organizer, Tribal Development Branch, Block Farsabahr, District Jashpur (C.G.).

---Respondents

For petitioner	:	Shri Dashrath Prajapati, Advocate.
For State	:	Shri Manish Nigam, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/02/2018

1. Heard on admission.
2. The grievance of the petitioner is that even though the petitioner has been transferred vide order dated 14/08/2017, 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.
3. 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.

4. 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.

5. Accordingly, this petition is disposed off 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.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE