

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2616 of 2018**

Smt. Vidhya Porte D/o Tushal Singh Porte Aged About 28 Years
Caste Gond, Patwari, Posted At Patwari Halka No. 17, Village-
Dhanpur, Tahsil Marwahi, Civil And Revenue District- Bilaspur,
Chhattisgarh.

---- Petitioner**Versus**

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

----Respondents

For Petitioner	:	Mr. Dharmesh Shrivastava, Advocate
For State	:	Mr. Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/03/2018**

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/-
(P. Sam Koshy)
Judge

Ved