

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2608 of 2018**

1. Narendra Kumar Sahu S/o Shri Mangal Ram Sahu Aged About 50 Years Occupation- Patwari, Presently Posted At Village Mandali Patwari Halka No. 23 Tahsil Chhura, District- Gariyabandh, Chhattisgarh.
2. Bhagawati Prasad Sahu S/o Shri Late Kunjram Sahu Aged About 48 Years Occupation- Patwari, Presently Posted At Patwari Halka No. 11 Tahsil Chhura, District- Gariyabandh, Chhattisgarh
3. Rakesh Kumar Sahu S/o Shri Nand Kumar Sahu Aged About 34 Years Presently Posted At Village Kothigaon, Patwari Halka No. 30, Tahsil Chhura, District- Gariyabandh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Revenue And Disaster Management, Mahanadi Bhawan Mantralaya, Naya Raipur, Chhattisgarh.
2. The Collector, Gariyaband District Gariyaband, Chhattisgarh
3. Tahsildar, Chhura, District- Gariyaband, Chhattisgarh

----Respondents

For Petitioners	:	Mr. Hemant Kesharwani, Advocate
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Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/03/2018**

1. The petitioners have filed this petition on the grievance that though the transfer order has been issued on 14.08.2017, they are not being 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 Chhattigarh 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, the writ petition is disposed of with the direction that if the transfer order of the petitioners is still operative, the respondent authorities shall relieve the petitioners towards implementation of the transfer order dated 14.08.2017.
5. It is also made clear that if any administrative exigency impede the petitioners' relieving, the petitioners shall be informed in writing. It will also remain open for the respondents to reconsider the issue of transfer on account of any administrative exigency.

Sd/-
(P. Sam Koshy)
Judge

Ved