

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 7266 of 2017

Shailendra Kumar Patel S/o Shri B. R. Patel, Aged About 43 Years
Deputy Registrar Bastar University, Jagdalpur, District Bastar
Chhattisgarh ----- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary To The Govt. Of C.G.
Department Of Higher Education, Mantralaya, Mahanadi Bhavan, Naya
Raipur, Police Station Rakhi, Raipur Chhattisgarh
2. The Registrar Bastar University, Jagdalpur, District Bastar Chhattisgarh
----- **Respondents**

For Petitioner	: Mr. A.D. Shrivastava, Advocate
For State	: Mr. D.R. Minj, Dy. G.A.
For Respondent No.2	: Mr. Neeraj Choubey, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03/01/2018

Heard.

1. This petition has been filed by the petitioner 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 on 14.08.2017, till date, he has not been relieved.
2. Learned counsel for respondent No.2 would submit that the transfer order could be effected only upon joining of the officer who has to come in place of the petitioner.
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 judgment of the Supreme Court, it has been held by this Court that once the employee has been transferred, it is required to be executed, unless it is modified, varied or cancelled by

the State Government itself.

4. Therefore, in these circumstances, this petition is disposed off with the direction that the petitioner shall be relieved forthwith by the controlling authority in compliance of order dated 14.08.2017, unless the State has not modified, varied or cancelled the impugned transfer order.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E