

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6192 of 2018**

Mansingh Dhruv S/o Late Sukhram Dhruv Aged About 55 Years
Posted As An Assistant Engineer, In The Office Of Sub Divisional
Officer, Public Works Department Sub Division Madded, Bijapur,
District Bijapur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through, The Secretary, Public Works Department, Mahanadi Bhawan Mantralaya, New Raipur District Raipur Chhattisgarh.
2. Sub Divisional Officer, Public Works Department (BH/S) Sub Division Maddedr, District Bijapur Chhattisgarh.
3. Chhattisgarh State Road Corporation, Raipur District Raipur Chhattisgarh. Through The Concerned Authority.
4. Executive Engineer, Public Works Department, Building And Road, West Bastar Division, Bijapur, District Bijapur Chhattisgarh.

----Respondents

For Petitioner	:	Mr. A.D. Kuldeep, Advocate
For State	:	Ms. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****20/09/2018**

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 25.05.2018, he is 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 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, the writ petition is disposed of with the direction that if the transfer order of the petitioner is still operative, the respondent authorities shall relieve the petitioner towards implementation of the transfer order dated 25.05.2018.
5. It is also made clear that if any administrative exigency impede the petitioner's relieving, the petitioner 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