

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6875 of 2018**

Rahul Dev Berma S/o. Shri Kam Dev Berma, Aged About 30 Years
Working As Sub- Engineer At Rural Engineering Services, Sub-Division,
Baster (Janpad Panchayat, Baster), District Baster Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, New Raipur Chhattisgarh
2. Chief Executive Officer, Zila Panchayat, Baster, District Baster Chhattisgarh
3. Chief Executive Officer, Janpad Panchayat, Baster, District Baster Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Somkant Verma, Advocate
For State	:	Mr. Dheeraj Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****12/10/2018**

1. The **petitioner has** filed this petition on the grievance that though the transfer order has been issued on 14.08.2017, **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 14.08.2017.
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