

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7279 of 2018**

Deepa Mankar W/o Shri Vaibhav Kahira Aged About 30 Years R/o
GAD Colony, Chitalanka, Dantewada, P.O., Tehsil And District-
Dantewada, Chhattisgrah.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Fisheries, Mahanadi Bhawan, Mantralaya, P.S. And P.O. Rakhi, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
2. Assistant Director Office Of Assistant Director, Department Of Fisheries, South Bastar, Dantewada, District- Dantewada, Chhattisgarh.

---- **Respondents**

For petitioner-Shri Abhishek Pandey and Shri Santosh Kumar Pandey,
Advocates.

For State/respondent-Shri Syed Majid Ali, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****02/11/2018**

Heard.

1. Admittedly the petitioner was transferred to the office of Assistant Director, Fisheries Department from Dantewada to Gariyaband.
2. It is stated that despite such transfer order passed it is not being implemented and the issue is not *res integra* in view of the law laid down in case of **Manisha Agrawal Vs. State of Chhattisgarh & ors. 2015(4) C.G.L.J. 182.**
3. Perused the order Annexure P-1 which shows that the petitioner has been transferred from Dantewada to Gariyaband, therefore unless and until said transfer is cancelled or varied it has to be implemented if it is in operation. It is contended on behalf of the petitioner that the petitioner has not been given any election duty.
4. In view of this, the petition is disposed of with a direction that if the transfer order of the petitioner is still operative, the respondent authorities

shall relieve the petitioner after implementation of the transfer order dated 6/10/2018.

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/-

(Goutam Bhaduri)

JUDGE