

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 187 of 2019

Shivpal Singh S/o Shri Moolchand Dhiwar, Aged About 39 Years, R/o Village Nardha, Post Office Nardha, Police Station Jamul, Tahsil Dhamdha, District Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Fisheries, Mahanadi Bhawan, Mantralaya, Police Station And Post Office Rakhi, Atal Nagar, Raipur, District Raipur, Chhattisgarh.
2. Deputy Director, Office Of Deputy Director, Department Of Fisheries, Collectorate Campas, Ambikapur, District Surguja, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Abhishek Pandey and Mr. Santosh Pandey, Advocates
For State	:	Mr. Rahul Mishra, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/01/2019

1. The **petitioner has** filed this petition on the grievance that though the transfer order has been issued on 06.10.2018, **he is** not being relieved.
2. The issue raised by the petitioner in the present writ petition is the non-relieving. According to the petitioner, he stands relieved vide order dated 06.10.2018 from the office of Deputy Director, Fisheries Department, Ambikapur to office of Assistant Director, Fisheries Department, District Balodabazar-Bhatapara (C.G.).
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 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.

4. 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.
5. 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 06.10.2018](#).
6. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Sumit