

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 641 of 2019**

Shriram Garg S/o Shri Ramswaroop Garg Aged About 58 Years R/o Village Virampura, Police Station Bhind, District Bhind Chhattisgarh, Present Address Gawde Niwas, Samrat Nagar Sukama, Police Station Sukama, District Sukama Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Agriculture And Biotechnology, Mahanadi Bhawan, New Raipur Chhattisgarh.
2. The Under Secretary Department Of Agriculture And Biotechnology, Mahanadi Bhawan, New Raipur Chhattisgarh.
3. The Assistant Soil Conservation Officer Sukama District Sukama Chhattisgarh.
4. Shri Ishwari Prasad Nag Surveyor, Office Of The Assistant Soil Conservation Officer Durg, District Durg Chhattisgarh.

Respondent(s)

For Petitioner	:	Shri Rishi Rahul Soni, Advocate.
For Respondents-State	:	Sameer Behar, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

31.01.2019

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 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.
5. It is also made clear that if any administrative exigency impede the petitioners' 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

inder/Arvind