

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7814 of 2019

Nem Singh Sahu S/o Shri Santu Ram Sahu Aged About 39 Years Working As Lecturer (Lb), And Posted At Government Higher Secondary School Chhindgarh, Block Chhindgarh, District Sukma, Chhattisgarh., District : Sukuma, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Sukma, District Sukma, Chhattisgarh., District : Sukuma, Chhattisgarh
3. District Education Officer Sukma, District Sukma, Chhattisgarh., District : Sukuma, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. P. Acharya, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

24/09/2019

1. The petitioner has filed this petition on the grievance that though the transfer order dated 21.08.2019 has been issued, the petitioner 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 aforesaid transfer order.
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