

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS NO. 7668 OF 2019**

Mukesh Kumar Naik S/o Shri. Gulab Singh Naik, Aged About 28 Years
Working as Sub Engineer At National Highway (Public Works Department)
Sub Division Bijapur, Division- Jagdalpur District-Baster At Jagdalpur
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Public Works Department,
Mahanadi Bhawan, Ministry New Raipur Chhattisgarh
2. Executive Engineer National Highway (Public Works Department), Division-
Jagdalpur, Distt.-Baster At Jagdalpur Chhattisgarh

... Respondents

For Petitioner	: Mr. Somkant Verma, Advocate.
For State	: Mr. P. Acharya, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****23/09/2019**

1. Heard on admission.
2. The petitioner has filed this petition for issuance of direction to respondent- transferring authority to relieve him on the grievance that though the transfer order has been issued by the State Government, till date, he has not been relieved.
3. The contention of the petitioner is that he was transferred vide Annexure - P-1 dated 16.08.2019 from P.W.D. National Highway Division-Jagdalpur to Public Works Department (B/R) Division-Mahasamund but till date he has not been relieved for joining at the transferred place.
4. 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 by the State Government itself.

5. Therefore, in these circumstances, the writ petition stands disposed off with direction that petitioner shall be relieved forthwith by the controlling authority in compliance of order (Annexure P/1) unless the State has not modified, varied or cancelled the transfer order dated 16.08.2019 so far as the petitioner is concerned.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha