

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8092 of 2019**

Shiv Shila Kashyap W/o Shri Ranjit Kashyap Aged About 30 Years
Working As Assistant Teacher (Lb), Government Primary Boys School,
Pipar Tarai, Block Kota, District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Principal Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanandi Bhawan, Atal Nagar, Naya Raipur District Raipur Chhattisgarh
2. Director Public Instructions, Indravati Bhawan, Atal Nagar, Naya Raipur District Raipur Chhattisgarh
3. Collector Bilaspur District Bilaspur Chhattisgarh
4. District Education Officer Bilaspur District Bilaspur Chhattisgarh
5. Block Education Officer Kota, District Bilaspur Chhattisgarh
6. Block Education Officer Thakhatpur, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Manish Nigam, Advocate
For State	:	Mr. Ayaz Naved, GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03/10/2019**

1. The [petitioner has](#) filed this petition on the grievance that though the transfer order has been issued on 19.07.2019, [she 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 dated 19.07.2019.
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