

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8094 of 2019**

Malti Ratnakar W/o Hari Shankar Ratnakar, Aged About 31 Years Working As Staff Nurse And Posted At P H C Nandghat, District Bemetara Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Health, Mahanadi Bhawan, Mantralaya New Raipur, District Raipur Chhattisgarh.
2. Collector, Bemetara District Bemetara Chhattisgarh.
3. Chief Medical Officer Bemetara, District Bemetara Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Ms. Akansha Jain, Dy. GA

Hon'ble Shri Justice P. Sam Koshy**Order On Board****03.10.2019**

1. The claim of the petitioner in the present writ petition is for an appropriate direction to the respondents for relieving the petitioner who has been transferred vide order dated 23.08.2019 Annexure P-1 from Sub Health Centre Nandghat, District Bemetara to District Hospital, Janjgir-Champa.
2. The contention of the petitioner is that the Block Medical Officer has already relieved the petitioner but the respondent no.3 is not releasing the petitioner.
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 by the State Government itself.

4. Under the circumstances, the writ petition is disposed of with direction that the petitioner shall be relieved forthwith by the controlling authority in compliance of order (Annexure P/1) unless the State has modified, varied or cancelled the transfer order dated 23.08.2019 so far as the petitioner is concerned.

Sd/-
P. Sam Koshy
Judge