

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8120 of 2019**

Dayaram Kashyap S/o Kashiram Kashyap Aged About 36 Years Working As - Pharmacist Grade Ii Primary Health Centre Tongpal Block Chhindgarh District Sukma Chhattisgarh. R/o Village Balikonta Post Titirgaon District Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Health And Family Welfare Mantralya, P.S. Rakhi Tahsil Arang Naya Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Collector Collector Office P.S. Sukma District Sukma Chhattisgarh., District : Sukuma, Chhattisgarh
3. The Chief Medical And Health Officer Sukma Sukma District Sukma Chhattisgarh., District : Sukuma, Chhattisgarh

----Respondents

For Petitioner	:	Mr. P.K. Tulsyan, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****01/10/2019**

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 23.08.2019, 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 within a period of 30 days from today.
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