

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8228 of 2019**

Smt. Kavita Kaushik W/o Tikendra Kaushik Aged About 28 Years Working
As Staff Nurse And Posted At Primary Health Centre Kura, Block Nawagarh,
District Bemetara Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Health,
Mahanandi Bhawan, Mantralaya, Atal Nagar Nawa 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 Kura Block Nawagarh, District Bemetara to C.M.H.O., District Durg.

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