

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8149 of 2019**

Chandra Shekhar Limje S/o Late Shri Shyamlal Limje Aged About 52 Years R/o C/o Shri Kamlesh Yadav, Schoolpara, Jawahar Ward, Kanker, District Bastar Chhattisgarh Presently Posted As Sub Engineer, E/m, Light Machinery, Tube Well And Gate Sub Division, Kanker District Bastar Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Water Resources Department, Mahanandi Bhawan, Mantralaya, Atal Nagar, Naya Raipur District Raipur Chhattisgarh
2. Chief Engineer Water Resources Division, Kanker, District Kanker Chhattisgarh
3. Superintending Engineer Water Resources Kanker, District Bastar Chhattisgarh
4. Executive Engineer Irrigation Department, Kanker, District Bastar Chhattisgarh
5. Sub-Divisional Officer E/m, Light Machinery, Tube Well And Gate Sub Division, Kanker District Bastar Chhattisgarh

----Respondents

For Petitioners	:	Mr. Punit Ruparel, Advocate
For State	:	Mr. P. Acharya, PL

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 09.08.2019, **he 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 09.08.2019.
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