

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8304 of 2019

Miss Roopa Nagwanshi D/o Shri Anand Kumar Aged About 35 Years
Working As Assistant Teacher, Primary School Fayadaguda, Block-Konta,
Tahsil-Konta, Civil and Revenue District-Sukama Chhattisgarh
--- **Petitioner**

Versus

1. State of Chhattisgarh Through- The Secretary, Department Of Education, Mahanadi Bhawan, New Raipur District : Raipur, Chhattisgarh
2. State of Chhattisgarh through the Under Secretary, Department of School Education, Mahanadi Bhawan, New Raipur District : Raipur, Chhattisgarh
3. The District Education Officer Sukama, Civil and Revenue District, Sukama District : Sukama, Chhattisgarh
4. The Block Education Officer Konta, Block-Konta, Civil and Revenue District-Sukama District : Sukama, Chhattisgarh
5. The Principal Head Master, Primary School Fayadaguda, Block-Konta, Tahsil-Konta, Civil and Revenue, District-Sukama District : Sukama, Chhattisgarh
--- **Respondents**

For the Petitioners : Mr. Paras Mani Shriwas, Advocate

For the Respondent : Mrs. Richa Shukla, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15-10-2019

1. The grievance of the petitioner is that though the transfer order/ letter has been issued on 22.08.2019, the petitioner is not being relieved.
2. The issue regarding implementation of transfer order has been considered by this Court in case of *Ms. Manisha Agrawal v. state of Chhattisgarh and others, 2015 (4) CGLJ 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/-

**GOUTAM BHADURI
JUDGE**