

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8494 of 2019**

Ku. Sonal Chauhan, D/o. Late Amritlal Chouhan, Aged About 34 Years, R/o. Village- Jawahar Nagar Ward, Jagadalpur, District-Bastar Chhattisgarh, Presently Working As Assistant Teacher (L.B.), In Government Primary School Koprapara, Kondagaon District-Kondagaon (Pokrapara Wrongly Mentioned In The Order)

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Department Of Higher Education Mantralaya, Mahanadi Bhawan, Naya-Raipur, Atal Nagar, District-Raipur Chhattisgarh
2. District Education Officer Kondagaon, District-Kondagaon Chhattisgarh
3. Collector, District-Kondagaon Chhattisgarh
4. Block Education Officer Kondagaon, District-Kondagaon Chhattisgarh

---- Respondents

For Petitioner : Mr. Pawan Kesharwani, Advocate

For Respondents : Mr. Priyank Rathi, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16.10.2019**

Heard.

1. Learned counsel for the petitioner submits that the petitioner has been transferred from Government Primary School Koprapara, District Kondagaon to Government Primary School Panduka District Gariyaband by the order dated 21.08.2019, however, till date she has not been relieved.
2. The issue regarding implementation of transfer order has been considered by this Court in the case of ***Ms. Manisha Agrawal v. 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. The petition is accordingly finally disposed off.

Sd/-
Goutam Bhaduri
Judge

Ashok