

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 8416 of 2019

Gitendra Kumar Patel S/o Shri Babulal Patel Aged About 30 Years Working As Sub Engineer (Civil)- Kondagaon, R/o Office Of The Executive Engineer, Public Health Engineering, Division- Kondagaon, Police Station- Kondagaon, District- Kondagaon, Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through- Secretary, Public Health Engineering Department, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District- Raipur, Chhattisgarh.
2. Engineer In Chief, Public Health Engineering Department, Raipur, District- Raipur, Chhattisgarh.
3. Executive Engineer Public Health Engineering Department, Division- Kondagaon, District- Kondagaon, Chhattisgarh.

---Respondents

For Petitioner	:	Shri S.P. Kale, Advocate.
For State	:	Ms. Ishwari Dhritlahre, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04.10.2019

1. The present petition has been filed for issuance of a direction to respondent-transferring authority to relieve the petitioner on the grievance that though the transfer order has been issued by the State Government, till date, the petitioner has not been relieved.
2. The contention of the petitioner is that though the petitioner was transferred vide order dated **13.08.2019**, however till date has not been relieved for joining at the transferred place.
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. Therefore, in these circumstances, this petition is disposed of with a direction that the petitioner shall be relieved forthwith by the controlling authority in compliance of the transfer order unless the State has not modified, amended or cancelled the said order so far as petitioner is concerned.

Sd/-
(P. Sam Koshy)
Judge

inder