

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 8395 of 2019**

Nikolas Tirkey S/o. Shri Jowakim Tirkey, Aged About 34 Years
Presently Working As Teacher (L.B.) At Middle School Ganjenar,
Block-Chhindgarh, District- Sukma, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through - The Secretary, Ministry Of School Education Department, Mahanadi Bhawan, Atal Nagar, New Raipur Chhattisgarh
2. The Collector Sukma, District- Sukma, Chhattisgarh
3. District Education Officer Sukma, District-Sukma, Chhattisgarh
4. Block Education Officer Block- Chhindgarh, District- Sukma, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Somkant Verma, Advocate
For State	:	Ms. Ishwari Ghritlahare, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****04.10.2019**

1. Heard on admission.
2. The petitioner has filed this petition for issuance of direction to respondent- transferring authority to relieve him on the grievance that though the transfer order has been issued by the State Government,

till date, he has not been relieved.

3. The contention of the petitioner is that he was transferred vide Annexure - P-1 dated 21.08.2019 from district Sukma to district Sarguja but till date he has not been relieved for joining at the transferred place.
4. 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.
5. Therefore, in these circumstances, the writ petition is disposed off 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 21.08.2019 so far as the petitioner is concerned.

Sd/-
P. Sam Koshy
Judge