

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8567 of 2019

Ratan Lal Thakur, S/o. Jain Lal Thakur, Aged About 39 Years, Posted As Assistant Shikshak L.B. At Primary School Kotampara, Sankul Fulbagdi, Block Sukma, District Sukma Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh
2. Additional Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh
3. Collector Sukma, District Sukma, Chhattisgarh
4. District Education Officer Sukma, District Sukma, Chhattisgarh
5. Chief Executive Officer, Zila Panchayat Sukma, District Sukma, Chhattisgarh
6. Block Education Officer Konta, District Sukma, Chhattisgarh

---- Respondents

For Petitioner : Mr. F.S.Khare, Advocate

For State Respondents : Ms. Beenu Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17.10.2019

Heard.

1. The petitioner has filed this petition on the grievance that though the transfer order 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 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. 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

Ashok