

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8739 of 2019

Smt. Monika Kesharwani, W/o. Buland Gupta, Aged About 33 Years, Working As Medical Lab Technologist And Posted At Community Health Centre, Navagarh, District - Bemetara Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Health, Mahanadi Bhawan, Mantralaya New Raipur, District Raipur Chhattisgarh.
2. Collector, Bemetara, District Bemetara Chhattisgarh.
3. Chief Medical Officer Bemetara, District Bemetara, Chhattisgarh.

----Respondents

For Petitioner : Mr. Shashi Bhushan Tiwari, Advocate.

For State/Respondents : Ms. Akanksha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24.10.2019

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 23.08.2019, however till date she 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.

Certified copy today.

Sd/-
(Goutam Bhaduri)
JUDGE

ashok