

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8935 of 2019

Mahendra Kumar Kandra S/o Shri Maya Ram Kandra, Aged About 32 Years
Presently Working as Account-Cum-Data Assistant, Primary Health Centre,
Bhimbhouri, Block S. Lohara, District : Kawardha (Kabirdham), Chhattisgarh
--- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh.
2. Mission Director, National Health Mission, Sector-27, Nava Raipur, Atal Nagar, District Raipur Chhattisgarh.
3. Collector, Kabirdham District Kabirdham . District : Kawardha (Kabirdham), Chhattisgarh
4. Chief Medical and Health Officer, Kabirdham, District : Kawardha (Kabirdham), Chhattisgarh
5. Block Medical Officer, Block S. Lohara, District Kabirdham District : Kawardha (Kabirdham), Chhattisgarh
--- Respondents

For the Petitioners : Mr. K.P. Sahu, Advocate

For Respondent No.2 : Mr. C. J. K. Rao, Advocate.

For the State : Mr. Kunal Das, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05-11-2019

1. The grievance of the petitioner is that though the transfer order/ letter has been issued on 19.08.2019 yet the petitioner is not being relieved.
2. Once there is an order of transfer, unless the State Government, itself modified/cancelled or kept in abeyance, all subordinate authorities are obliged under the law to comply with the order.

3. The issue regarding implementation of transfer order has been considered by this Court in case of *Ms. Manisha Agrawal v. state of Chhattisgarh and others, 2015 (4) CGLJ 182* wherein relying upon several decisions 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.
4. Therefore, in these circumstances, this petition is disposed off with a direction that the petitioner shall be relieved forthwith by the controlling authority in compliance of the order dated 19.08.2019 unless the State has modified, varied or cancelled the impugned transfer order.

Sd/-

GOUTAM BHADURI
JUDGE