

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8775 of 2019

Rakesh Kumar Goswami S/o Shri Shambhu Dayal Goswami Aged
About 61 Years Posted As Assistant District Excise Officer,
Mahasamund, District Mahasamund, Chhattisgarh.

---- Petitioner

Versus

1. The State Of Chhattisgarh Through Secretary, Commercial Tax (Excise), Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh.
2. Under Secretary Commercial Tax (Excise) Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh.
3. The Excise Commissioner Chhattisgarh, Excise Building, Near Chhokra Nala, Raipur, District Raipur, Chhattisgarh.
4. Collector Mahasamund, District Mahasamund, Chhattisgarh.
5. District Excise Officer Mahasamund, District Mahasamund, Chhattisgarh.

----Respondents

For petitioner – Ms. Pushplata Khalkho, Advocate.
For State- Shri Avinash Singh, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

23/10/2019

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 10.10.2019, however till date he 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/-

(Goutam Bhaduri)

JUDGE