

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8898 of 2019**

- Ku. Kirtilata Nirmalkar D/o Shirvam Nirmalkar Aged About 30 Years Working As Assistant Teacher And Posted At Govt. Higher Secondary School Chhindgarh, District Sukma Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya New Raipur, District Raipur Chhattisgarh
2. Collector Sukma, District Sukma Chhattisgarh
3. District Education Officer Sukma, District Sukma Chhattisgarh

---- Respondents

For Petitioner : Shri Ajay Shrivastava, Advocate

For Respondents/State : Shri Alok Bakshi, Addl. AG

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 21.08.2019, however till date 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

Ashu