

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9103 of 2019

Hemant Kumar Nirmalkar S/o Shri Chhabi Lal Nirmalkar, Aged
About 39 Years Presently Working As Teacher (L.B.) At
Government Middle School Barkai, Block - Makdi, District -
Kondagaon, Chhattisgarh. **---- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, School Education
Department, Mahanadi Bhawan, Atal Nagar, New Raipur
Chhattisgarh.
2. The Collector, Kondagaon, District - Kondagaon Chhattisgarh.
3. District Education Officer, Kondagaon, District - Kondagaon
Chhattisgarh.

----Respondents

For petitioner – Shri Somkant Verma, Advocate.
For State- Smt. Richa Shukla, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

08/11/2019

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 22.08.2019, 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