

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9091 of 2019

Yashwant Kumar Jaiswal S/o Shri B. L. Jaiswal Aged About 35
Years Presently Working As Assistant Medical Officer At Primary
Health Center, Lubha, District - Kondagaon Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Health And Family
Welfare Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur
Chhattisgarh.
2. The Collector, Kondagaon, District - Kondagaon Chhattisgarh.
3. Chief Medical And Health 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 19.08.2019, 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