

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9424 of 2019

1. Jitendra Rao Babar S/o Shri Bhuvneshwar Rao Aged About 44 Years Working As, Head Master Government Primary School Chhataladabara, Block Kasdol, District Baloda-Bazar, Chhattisgarh.
2. Purshottam Kumar Dhruw S/o Shri Jethuram Dhruw Aged About 42 Years Working As, Head Master Government Primary School Saloni Khurd, Sankul Kendra Salonikala, Block Bilaigarh, District Baloda-Bazar, Chhattisgarh.
3. Ravindra Kumar Markam S/o Late Shri Banshila Markam Aged About 42 Years Working As, Head Master Government Primary School Trikuti, Block Kasdol, District Baloda-Bazar, Chhattisgarh.
4. Deepak Ram Sinha S/o Shri Pawan Kumar Sinha Aged About 46 Years Working As, Head Master Government Primary School Bendua, Block Bilaigarh, District Baloda-Bazar, Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh.
2. The Collector Baloda Bazar Bhatapara, District Baloda-Bazar Bhatapara, Chhattisgarh.
3. District Education Officer Baloda Bazar, Bhatapara, District Baloda Bazar Bhatapara, Chhattisgarh.
4. Block Education Officer Bilaigarh, Block Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh.
5. Block Education Officer Kasdol, Block Kasdol, District Baloda-Bazar Bhatapara, Chhattisgarh.

----Respondents

For petitioners – Shri R.S. Patel, Advocate.

For State- Shri Kunal Das, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/11/2019

1. The present petition has been filed for issuance of a direction to respondent-transferring authority to relieve the petitioners on the grievance that though the transfer order has been issued by the State Government, till date, the petitioners have not been relieved.
2. The contention of the petitioners are that though the petitioners were transferred vide order dated 1.10.2019, however till date they have

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 petitioners 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 petitioners are concerned.

Sd/-

(Goutam Bhaduri)

JUDGE