

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9377 of 2019

Ashok Kumar Thakur S/o Shri Bahadur Singh Thakur Aged About 51 Years
Presently Working As Head Wader At Sub-Jail, Bijapur, District Bijapur,
Chhattisgarh. **--- Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Home (Jail) Department,
Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District : Raipur, Chhattisgarh
2. Director General of Jail Jail & Corrective Services, Near, Pt. Jawahar Lal
Nehru, Medical College, Raipur, District Raipur, Chhattisgarh.
3. Suprintendent of Jail Sub-Jail, Bijapur, District Bijapur, Chhattisgarh.
--- Respondents

For the Petitioner	: Mr. Somkant Verma, Advocate
For the Respondents	: Mr. Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18-11-2019

1. The grievance of the petitioner is that though the transfer order has been issued on 23.08.2019, the petitioner is not being relieved.
2. Once there is an order of transfer, unless the State Government, itself modified/cancelled or kept in abeyance, all subordinate authorities are obliged under the law to comply with the order.
3. The issue regarding implementation of transfer order has been considered by this Court in case of *Ms. Manisha Agrawal v. state of Chhattisgarh and others, 2015 (4) CGLJ 182* wherein relying upon several decisions 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.

4. Therefore, in these circumstances, this petition is disposed off with a direction that the petitioner shall be relieved forthwith by the controlling authority in compliance of the order dated 23.08.2019 unless the State has modified, varied or cancelled the impugned transfer order.

Sd/-

**GOUTAM BHADURI
JUDGE**