

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9666 of 2019

Birsingh Netam S/o Shri Radhyshyam Netam Aged About 39 Years
Presently Working As Teacher (L.B.) At Government Uchch Primary
School Nevra, 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 the Petitioner : Mr. Somkant Verma, Advocate

For the Respondents : Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25-11-2019

1. The grievance of the petitioner is that though the transfer order has been issued on 22.08.2019, 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 22.08.2019 unless the State has modified, varied or cancelled the impugned transfer order.

Sd/-

**GOUTAM BHADURI
JUDGE**