

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9928 of 2019

- Smt. Chandrika Rana, W/o Shri Bharatdwaj, Rana Aged About 39 Years, Posted As Teacher (L. B.), At Government Middle School, Nayadhaba Block Berla District Bemetara Chhattisgarh, R/o Block 13/B, Sector 04, Bhilai District Durg, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur, Chhattisgarh
2. District Education Officer, Bemetara District Bemetara Chhattisgarh
3. Block Education Officer, Berla, District Bemetara, Chhattisgarh

---- Respondents

For Petitioner
For Respondent-State

Shri Ishan Verma, Advocate
Shri Kapil Maini, PL

Hon'ble Justice Shri Goutam Bhaduri

Order On Board

29/11/2019

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 01.10.2019, the petitioner is not being relieved.
2. The issue regarding implementation of transfer order has been considered by this Court in the case of **Ms. Manisha Agrawal v. State of Chhattisgarh and others**, reported in 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.

3. Therefore, in these circumstances, either the transfer order has to be implemented or the State has the option to cancel, vary or modify or keep in abeyance.
4. Accordingly, the writ petition is disposed of with direction that if the transfer order of the petitioner is still operative, the respondent authorities shall relieve the petitioner towards implementation of the aforesaid transfer order within a period of 30 days from today.
5. It is also made clear that if any administrative exigency impedes the petitioner's relieving, the petitioner shall be informed in writing. It will also remain open for the respondents to reconsider the issue of transfer on account of any administrative exigency.

Sd/-
(Goutam Bhaduri)
Judge

Nirala