

## **HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 10124 of 2019**

- Surendra Kumar Ganware S/o- Ganda Ram Ganware Aged About 34 Years Posted As Assistant Teacher (L.B.), At Government Primary School Bhilauni Block Nawagarh District Bemetara, R/o Village Semhardih Tahsil Daundi Lohara, District : Balod, Chhattisgarh

**---- Petitioner**

**Versus**

1. State of Chhattisgarh Through Its Secretary School Education Department Mantralaya, Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh
2. District Education Officer Bemetara, District : Bemetara, Chhattisgarh
3. Block Education Officer, Nawagarh, District : Bemetara, Chhattisgarh

**----Respondents**

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|----------------|---|-------------------------------|
| For Petitioner | - | Mr. Ishan Verma, Advocate.    |
| For State      | - | Ms. Binu Sharma, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**04/12/2019**

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 01.10.2019, 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**,<sup>1</sup> wherein relying upon several judgments of the Supreme Court, it has been held by this Court that once the employee

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1. 2015(4) C.G.L.J.182

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

*yasmin*