HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10307 of 2019

- Gopesh Kumar Som S/o Shri Mohan Lal Som Aged About 35 Years Presently Working As Rural Health Coordinator (Male) (M.P.W.) At Sub Helth Center Adega, District : Kondagaon, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Department of Health And Family Welfare, Mahanadi Bhawan, Mantralaya New Raipur, Atal Nagar, District : Raipur, Chhattisgarh
2. The Collector Kondagaon, District : Kondagaon, Chhattisgarh
3. The District Medical Officer Kondagaon, District : Kondagaon, Chhattisgarh

----Respondents

For Petitioner	-	Mr. Manoj Chouhan, Advocate.
For State	-	Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

09/12/2019

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 23.08.2019, 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,**[1] 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

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

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