

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10190 of 2019

- Hariprakash Sahu S/o Late Balak Ram Sahu Aged About 43 Years Presently Working As Medical Lab Technologist At Primary Health Center, Shampur, Block- Makdi, District- Kondagaon, Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Petitioner

Versus

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

----Respondents

For Petitioner	-	Mr. Somkant Verma, Advocate.
For State	-	Mr. Soumya Rai, Panel Lawyer

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

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

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 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