

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10365 of 2019

Rajni Patel W/o Gajanand Patel Aged About 33 Years Presently Posted And Working As Teacher (Lb), Middle School, Kolam Chitwahi, Block Tamnar, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh --- **Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Department of School Education Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office and Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh.
2. District Education Officer Raigarh, District Raigarh Chhattisgarh.
3. Principal Govt. Higher Secondary School, Kolam Chitwahi, Block Tamnar, District Raigarh Chhattisgarh. --- **Respondents**

For the Petitioner	: Mr. Dhani Ram Patel, Advocate
For the Respondents	: Mr. Alok Bakshi, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.12.2019

1. The grievance of the petitioner is that though the transfer order has been issued on 22.08.2019 read with the amended order dated 17.10.2019, 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 unless the State has modified, varied or cancelled the impugned transfer order.

Sd/-
(GOUTAM BHADURI)
JUDGE