

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10466 of 2019

- Rakesh Kumar Gwale S/o Shri Awadh Ram Gwale Aged About 34 Years Presently Working As Assistant Medical Office At Primary Health Center, Benur, District Narayanpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary School Education Department Mahanadi Bhawan , Atal Nagar New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Mission Director National Health Mission , Naya Raipur , Atal Nagar, Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Medical And Health Officer Narayanpur, District Narayanpur Chhattisgarh., District : Narayanpur, Chhattisgarh

----Respondents

For Petitioner	-	Mr Somkant Verma, Advocate.
For State	-	Ms. Akanksha Jain, Dy. G.A.
For Respondent No.2	-	Mr. C.J.K. Rao, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order

11/12/2019

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 19.08.2019, 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