

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 164 of 2020

- Deepmala Chandrakar W/o Shri Vishesh Kumar Chandrakar Aged About 39 Years Assistant Teacher L.B. Govt. Primary School, Malda, Block Nawagarh, Tahsil And District Bemetara Chhattisgarh

---- Petitioner

Versus

1. State Govt. Of Chhattisgarh Through The Secretary, School Education Department Ministry, Mahanadi Bhawan, Police Station Rakhi, New Raipur Chhattisgarh
2. Collector, Bemetara, Chhattisgarh
3. District Education Officer, Bemetara, Chhattisgarh
4. Block Education Officer, Nawagarh, Chhattisgarh.

----Respondents

For Petitioner	-	Mr. Ajay Shrivastava, Advocate.
For State	-	Mr. Kunal Das, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order

10.01.2020

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 orders dated 22.08.2019 and 01.10.2019 (amended) however till date she 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

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