

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 300 of 2020

- Smt. Basanti Swarnkar W/o Shri Neeraj Kumar Swarnkar Aged About 42 Years Posted As Teacher (L.B.), At Government Middle School, Chhirha, District Bemetara, R/o Village And Post Chhirha, District : Bemetara, Chhattisgarh

---- Petitioner

Versus

- 1.State Of Chhattisgarh Through Its Secretary, School Education Department Mantralaya, Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh
- 2.District Education Officer Bemetara, District : Bemetara, Chhattisgarh
- 3.Block Education Officer Bemetara, District : Bemetara, Chhattisgarh

----Respondents

For Petitioner	-	Mr. Anadi Sharma, Advocate.
For State	-	Mr. Kapil Maini, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order

15.01.2020

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 order dated 01.10.2019, 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