

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 326 of 2020

- Gamesh Prasad Choudhary S/o Shri A. Choudhary Aged About 34 Years Presently Working As Assistant Medical Officer At Primary Health Center, Dhouai, District - Narayanpur Chhattisgarh

---- Petitioner

Versus

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

----Respondents

For Petitioner	-	Mr. Somkant Verma, Advocate.
For State	-	Mr. Priyank Rathi, Panel Lawyer
For Respondent No.2	-	Mr. C.J.K. Rao, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order

16.01.2020

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 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

yasmin