

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 332 of 2020

- Ku. Jyoti Jain After Marriage Smt. Jyoti Sinha W/o Shri Sunil Sinha Aged About 27 Years Presently Working As Staff Nurse At Community Health Center, Vishrampur, Block Baderajpur, District : Kondagaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfair Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur Chhattisgarh
2. The Collector Kondagaon, District : Kondagaon, Chhattisgarh
3. Chief Medical And Health Officer Kondagaon, District : Kondagaon, Chhattisgarh

----Respondents

For Petitioner	-	Mr. Somkant Verma, Advocate.
For State	-	Mr. Priyank Rathi, Panel Lawyer

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 23.08.2019, 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