

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2194 of 2020

Sevakram Kanwar, S/o Shri Thanwar Singh Knawar, Aged About 49 Years Working As Headmaster, Government Primary School, Basant Vihar, Jhabdi, Block - Kasdol, District - Baloda Bazar - Bhatapara Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur Chhattisgarh.
2. The Collector Baloda Bazar Bhatapara, District Baloda Bazar - Bhatapara Chhattisgarh.
3. District Education Officer, Baloda Bazar, District Baloda Bazar - Bhatapara Chhattisgarh.
4. Block Education Officer, Kasdol, Block - Kasdol, District Baloda Bazar - Bhatapara Chhattisgarh.

----Respondents

For petitioner – Shri R.S. Patel, Advocate.
For State- Shri Rahul Jha, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/06/2020

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 12/07/2019, 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, 2015(4) C.G.L.J.182, wherein relying upon several judgments of 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