

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5256 of 2021

1. Rajendra Kumar Korram S/o Brijlal Korram Aged About 42 Years R/o Makan No. - 86, Village Urraiya, Tehsil Narharpur, District - Uttar Bastar, Kanker, Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department of School Education, Mahanadi Bhawan, Post Office Mantralaya, P.S. Rakhi, Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Under Secretary Department Of School Education, Mahanadi Bhawan, Post Office Mantralaya, P.S. Rakhi, Atal Nagar, District Raipur Chhattisgarh.
3. The District Education Officer Uttar Bastar Kanker, District Uttar - Bastar, Kanker Chhattisgarh.
4. The District Education Officer Kondagaon, District Kondagaon, Chhattisgarh.

---Respondents

For Petitioner	:	Shri Shobhit Kosta, Advocate.
For State	:	Shri Neeraj Pradhan, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29.09.2021

1. The petitioner has filed this petition on the grievance that though the transfer order has been issued on 21.08.2019, he is not being relieved. The transfer has been made on the request made by the petitioner on the ground that he was a person with disability.
2. 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.

3. Therefore, in these circumstances, either the transfer order has to be implemented or the State has the option to cancel, vary or modify or keep in abeyance.
4. Accordingly, the writ petition is disposed of with the direction that if the transfer order of the petitioner is still operative, the respondent authorities shall relieve the petitioner towards implementation of the transfer order.
5. It is also made clear that if any administrative exigency impede the petitioners' relieving, the petitioner shall be informed in writing. It will also remain open for the respondents to reconsider the issue of transfer on account of any administrative exigency.

Sd/-
(P. Sam Koshy)
Judge

inder