CGHC010387702026 2026:CGHC:43172

SOURABH BHILWAR
Digitally signed by SOURABH BHILWAR
Date: 2026.10.07 11:43:05 +0530

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7277 of 2026

Ashish Mishra S/o P. N. Mishra Aged About 47 Years Working As Head Of Department (Mechanical) At Chhattisgarh Institute Of Technology, Jashpur, R/o Chakradhar Nagar, Bangla Para, Raigarh, District Raigarh, Chhattisgarh

... Petitioner

versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of Skill Development, Technical Education And Employment, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District- Raipur, (C.G.).

2 - Directorate Of Technical Education, Through Director, Block-III, Third Floor, Indrawati Bhawan, Nava Raipur, Atal Nagar, District- Raipur, (C.G)

3 - Principal, Chhattisgarh Institute Of Technology, Jashpur, District Jashpur, (C.G)

4 - Principal, Chhattisgarh Institute Of Technology, Raigarh, District Raigarh, (C.G)

... Respondent(s)

(Cause title is taken from Case Information System)

For Petitioner	: Mr. Siddharth Pandey, Advocate
For Respondents/ State	: Mr. Vivek Verma, Govt. Advocate

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

06/10/2026

1. By the present writ petition, the petitioner seeks a direction towards the respondent authorities to relieve him pursuant to the transfer order dated 16.07.2026 (Annexure P/2) whereby he has been transferred from Chhattisgarh Institute of Technology (CIT), Jashpur to Chhattisgarh Institute of Technology, Raigarh.

2. Learned counsel for the petitioner submits that the petitioner is presently working as Head of Department (Mechanical) at CIT, Jashpur. Vide order dated 16.07.2026 the petitioner has been transferred from CIT, Jashpur to CIT, Raigarh at his own cost. The said transfer order was subsequently assailed by Smt. Alpana Dua Oberai in W.P.(S) No.6409 of 2026, which came to be dismissed by this Court vide order dated 01.09.2026, thereby upholding the transfer of the petitioner. He further submits that thereafter the petitioner submitted an application dated 11.09.2026, seeking his immediate relieving so as to enable him to join at CIT, Raigarh; however, despite the transfer order dated 16.07.2026 continuing to remain operative and there being no order modifying or cancelling the same, respondent No.3 has failed to relieve the petitioner. He would submit that unless and

until the order of transfer is altered, modified or cancelled by the competent authority, the same is required to be implemented and the petitioner is entitled to be relieved in compliance thereof. In support of his contention, he placed reliance upon the judgment rendered by this Court in ***Ms. Manisha Agrawal vs. State of Chhattisgarh and Ors.*****, reported in *2015 (4) CGLJ 182***, and submits that the Court has held that an order of transfer, unless and until modified or altered, is required to be complied with and the respondents therein were directed to relieve the petitioner immediately.

3. Learned State Counsel submits that if representation/ application of petitioner is not yet decided, it will be considered and decided in accordance with law expeditiously and appropriate order will be passed.

4. I have heard learned counsel for the parties and perused the documents available on record.

5. From perusal of the record, it is not in dispute that the competent authority has passed the transfer order dated 16.07.2026 transferring the petitioner from CIT, Jashpur to CIT, Raigarh and that the said order has neither been cancelled nor modified till date. It is also not in dispute that the challenge to the said transfer order in W.P.(S) No.6409 of 2026 has already been dismissed by this Court vide order dated 01.09.2026. Thus, the subsisting transfer order is required to be implemented.

6. In view of the above, and keeping in view the judgment rendered by this Court in ***Manisha Agrawal*** (supra), the concerned respondent authorities/respondent No.3 are directed to relieve the petitioner pursuant to the transfer order dated 16.07.2026 (Annexure P/2) within a period of 20 days from the date of receipt of a copy of this order, so as to enable him to join at his transferred place of posting.

7. In the result, the Writ Petition is **allowed** to the extent indicate above.

Sd/-

(Bibhu Datta Guru)
JUDGE

$. Bhilwar