

Vidhya Rathor Vs State Of Chhattisgarh And Ors

Court: Chhattisgarh High Court

Date of Decision: Oct. 1, 2019

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Ajit Singh, Anshuman Shrivastava

Final Decision: Disposed Of

Judgement

P. Sam Koshy, J

1. The grievance of the petitioner is that though the respondents have passed the order on 23.08.2019 whereby the petitioner has been transferred

from Shyampur Kampa, Block Saja to Tumakala, District Durg, on her own request and expenses, the respondents have till date not taken any steps

for relieving the petitioner.

2. The contention of the petitioner is that, in the order of transfer itself there has been no reliever being posted at the place where the petitioner was

working and now vide order dated 19.09.2019 (Annexure P/1) the Chief Medical and Health Officer has refused to relieve the petitioner, though the

Block Medical Officer has already relieved the petitioner.

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. There is

no condition made by any of the parties that the order of transfer has since been modified, cancelled or amended, in any manner, so far as petitioner is

concerned.

4. Under the circumstances, the respondents No.1,2 and 4 are directed to ensure that the order of transfer dated 23.08.2019 so far as petitioner is

concerned, is executed at the earliest preferably within a period of 45 days from the date of receipt of copy of this order, unless the transfer order is

modified, amended or cancelled.

5. The writ petition accordingly stands disposed of.