

P.R. No. 5246/2011
Presented by Sri. Yogesh Chandra
dated 23/2/2011

(2)

Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 5034/2011

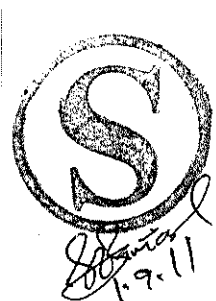
Petitioner Smt Sukmani Netam, aged about 30 years,
W/o Maniklal Netam, R/o Village and Post
Samtara, Tahsil Narharpur, Distt. Kanker

VERSUS

- RESPONDENTS
1. The State of Chhattisgarh, through
Secretary, Forest Department,
D.K.S. Bhawan, Raipur
 2. Conservator of Forest, Jagdalpur Circle
Jagdalpur
 3. Divisional Forest Officer, East,
Bhanupratappur, Distt. U.B. Kanker
 4. Divisional Forest Officer, Sukma Forest
Division, Sukma, Distt. Jagdalpur



**WRIT PETITION UNDER ARTICLE 226 AND 227 OF THE
CONSTITUTION OF INDIA**



HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 5034 of 2011

PETITIONER : Smt. Sukmani Netam.

VERSUS

RESPONDENTS : The State of Chhattisgarh & Others.

WRIT PETITION UNDER ARTICLE 226 AND 227 OF THE
CONSTITUTION OF INDIA

SB: Hon'ble Shri Satish K. Agnihotri, J.

Present: Shri Parag Kotecha, Advocate for the petitioner.
Shri Arun Sao, Government Advocate for the State.

ORDER (ORAL)

(Passed on 30th day of August, 2011)

1. Learned counsel appearing for the petitioner submits that vide order dated 15.07.2010 (Annexure P/1), the petitioner, working as Forest Guard at Range Jagargunda, Forest Division Sukma, has been transferred to Range Antagarh, Forest Division Bhanupratppur, on her own request. However, the petitioner has not yet been relieved to join the new place of posting. Shri Kotecha submits that once the order of transfer has been passed, it is for the government to ensure that it is complied with immediately. He relies on a decision of the Supreme Court in *Sreedam Chandra Ghosh v. State of Assam & others*¹, in support of his contention that if the order is not complied with, a direction can be issued for enforcement thereof.
2. Shri Sao, learned Government Advocate appearing for the State submits that that if the transfer order dated 15.07.2010 (Annexure P/1) is still in existence and has not been complied with, appropriate steps would be taken to comply with the order.
3. If the aforesaid transfer order is still in existence, the government is under an obligation to comply with the same at once. It is accordingly directed that the transfer order shall be complied with forthwith, within a period of two weeks.
4. Accordingly, this petition is disposed of.

Sd/-

SATISH K. ANGNIHORI
Judge

Amrit