

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7946 of 2019**

1. Jai Kishan Kaushik, S/o Late Shri Manoj Kumar Kaushik, Aged About 44 Years, Occupation- Assistant Medical Officer, Primary Health Center, Tarlaguda, District : Bijapur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Mahanadi Bhawan, Atal Nagar, Raipur, District : Raipur, Chhattisgarh
2. Collector, Bijapur, District : Bijapur, Chhattisgarh
3. Chief Medical And Health Officer, Bijapur, District : Bijapur, Chhattisgarh

----Respondents

For Petitioner	:	Ms. Deepali Pandey, Advocate
For State	:	Mr. Ashutosh Mishra, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****30.09.2019**

1. The limited relief that the petitioner has sought for in the present Writ Petition is for relieving the petitioner in the light of the order of transfer Annexure P-1 dated 19.08.2019.
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 off 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 dated [19.08.2019](#).
5. It is also made clear that, if any administrative exigency impede the petitioner's 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