
(2021) 06 CHH CK 0096
In the Chhattisgarh High Court
Case No : Writ Petition (S) No. 3013 Of 2021

Ravi Shankar Shori

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 29-06-2021

Acts Referred:

Citation : (2021) 06 CHH CK 0096

Hon'ble Judges : P. Sam Koshy, J

Bench : Single Bench

Advocate : Pankaj Singh, Jitendra Pali

Final Decision : Disposed Of

Judgement

1. Aggrieved by the inaction on the part of the respondents in not relieving the petitioner inspite of petitioner being transferred vide order dated

25.03.2021, the present writ petition has been filed.

2. The petitioner is presently posted as District Inspector in the office of Legal Meteorology, Jagdalpur, District Bastar. Vide order dated 25.03.2021

the petitioner has been transferred from Jagdalpur to District Balod. Though more than three months have passed, till date the petitioner has not been relieved which has led to the filing of present writ petition.

3. The counsel for the petitioner submits that as per instructions received, the said order dated 25.03.2021 till date has not been modified, cancelled or

amended in any manner so far as petitioner is concerned or at least the petitioner has not been intimated in this regard, if any such order has been

passed. According to petitioner the present writ petition can be disposed of in the light of decision rendered by this High Court in case of Manisha

Agrawal Vs. State of Chhattisgarh & Others, 2015 (4) CGLJ 182.

4. The State counsel on the other hand submits that perhaps non relieving would be on account of no reliever being available upon whom the petitioner

could hand over the charge which also is one of the requirement for compliance of the order of transfer for the persons posted in the scheduled or

core scheduled areas.

5. Be that as it may, reiterating the legal position as has been laid down in case of Manisha Agrawal (Supra) which till date holds good, indisputably

there is an order transferring the petitioner from Jagdalpur to Balod. The said order, if the contentions of the petitioner is to be believed, till date has

not been modified, amended or cancelled. Under the circumstances, the order passed by the respondents on the administrative side taking into

consideration administrative exigency is required to be followed or complied with in its letter and spirit. The order of transfer cannot be presumed to

become redundant only on account of respondents not relieving the petitioner.

6. Given the said facts, the writ petition at this juncture stands disposed of directing the respondents under whom the petitioner is working to ensure

that appropriate steps is taken at the earliest for compliance of the order of transfer in its letter and spirit so far as petitioner is concerned. Let

appropriate decision on the administrative side be taken at the earliest preferably within a period of 45 days from the date of receipt of copy of this

order.