



2026:CGHC:4009



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 14089 of 2025

1 - Smt. Dinuradha Chouhan W/o Shri Deepak Chouhan Aged About 35 Years Occupation - Stenographer Class- Iii Under The Office Of Collector District- Jashpur (C.G.) R/o Village- And Tahsil - Bagicha District- Jashpur (C.G.)

--- **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through- The Secretary Revenue And Disaster Management Department Mahanadi Bhawan, Mantralaya Atal Nagar, Nawa Raipur District- Raipur (C.G.)

2 - The Commissioner Sarguja Division Ambikapur District- Sarguja (C.G.)

3 - The Collector Jashpur District- Jashpur (C.G.)

4 - Sub Divisional Officer (Revenue) Baghicha District- Jashpur (C.G.)

--- **Respondent(s)**

(The cause title is taken from CIS)

For Petitioner	:	Mr. Sandeep Kumar Sharma, Advocate
For State	:	Mr. Suyashdhar Badgaiya, G.A.

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

22/01/2026

1. Petitioner has filed this writ petition seeking following reliefs :



“10.1. That, this Hon'ble Court may kindly be pleased direct the respondent No.3, to compliance the order dated 16.10.2025 (Annexure P-4).

10.2. That, this Hon'ble Court may kindly be pleased to direct the respondent No.3 to issue the reliving order in favour of the petitioner for compliance of order dated 16.10.2025 with immediate effect.”

2. Learned counsel for the petitioner submits that vide order dated 16.10.2025 petitioner has been transferred from the office of Collector, Jashpur to the office of Commissioner, Sarguja Division, Ambikapur. However, till date, petitioner is not relieved. He submits that when once order of transfer is issued by the State Government, then the concerned authority/subordinate officers are duty bound to relieve the petitioner in compliance of order dated 16.10.2025. In support of his submission, he places reliance upon the decision in case of **Ms. Manisha Agrawal Vs. State of C.G. & Ors.** [2015 (4) CGLJ 182].
3. Learned counsel for the State opposes submission of learned counsel for the petitioner, however, upon putting query he submits that according to his instruction, transfer order of petitioner has not been modified or cancelled by competent authority. He also submits that petitioner is not relieved for want of reliever.
4. I have heard learned counsel for the parties.
5. Undisputedly, petitioner is transferred vide order dated 16.10.2025 passed by the Commissioner, Sarguja Division, Ambikapur transferring petitioner from the office of Collector, Jashpur to the office of Commissioner, Sarguja Division, Ambikapur on administrative exigency.



6. Coordinate Bench of this Court in case of **Manisha Agrawal** (supra)

has observed as under:

“7. It would not be out of place to mention here that the guidelines issued by the State Government in relation to transfer of the employees are merely executive instructions and are not enforceable by the Court of law. Thus, only on the strength of any guideline mentioned in the transfer policy, the State Government cannot take a stand that unless the reliever is posted in place of the petitioner, the petitioner cannot be relieved. Once the employee has been transferred, execution of the said order is to be ensured by the State Government unless and until the said order is varied by the State Government, either by cancelling or modifying it. In the present case, the transfer order of the petitioner has neither been modified nor been cancelled. Under the facts and circumstances of the case, the State Government is under an obligation to ensure enforcement of the transfer order. In the matters of *Sreedam Chandra Ghosh* (supra) it has been observed by the Apex Court in para 6 as under:

"6. It is then contended that the transfer orders are to be enforced by the Government as per the rules in vogue and the High Court cannot interfere with these orders. We are unable to appreciate this contention also. When the Government views non-compliance of the transfer order as a serious indiscipline on the part of the erring officer and when the person complains of the non-compliance to the court, the court necessarily has to give effect to the order and give directions for enforcement thereof. Under these circumstances, we do not find any merit in the petition."

7. In the case at hand, it was not brought to the notice of this Court that after passing of transfer order dated 16.10.2025, order of transfer of



petitioner in any manner was cancelled or amended. In absence of which, respondents are duty bound to relieve the petitioner for transferred place.

8. For the foregoing discussions, writ petition is allowed. Respondents are directed to relieve the petitioner to join at her transferred place i.e. office of Commissioner, Sarguja Division, Ambikapur (C.G.) within 10 days from receipt of order.

Sd/-
(Parth Prateem Sahu)
Judge