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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5737 of 2026

Nagesh Kumar Samrath S/o Vinayak Singh Samrath Aged About 45
Years R/o Chote Dongar Rajpur, District- Narayanpur, Chhattisgarh.

... Petitioner

versus

- 1 - State Of Chhattisgarh Through Secretary Department Of Forest,
Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District-
Raipur, Chhattisgarh.
- 2 - Principal Chief Conservator Of Forest Raipur, Atal Nagar, New
Raipur, District- Raipur, Chhattisgarh.
- 3 - Chief Conservator Of Forest Kanker Circle, District Kanker,
Chhattisgarh.
- 4 - Forest Ranger Forest Range West Sonpur, District- Narayanpur,
C.G.
- 5 - Shri Rajuram Pottai Forester, Zone West Sonpur, District-
Narayanpur, Chhattisgarh.

... Respondents

(Cause title is taken from Case Information System)

For Petitioner	: Mr. Gagan Tiwari, Advocate
For Respondents/ State	: Mr. Vivek Verma, Govt. Advocate
For Respondent No.5	: None, though served.

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

12/10/2026

1. By the present writ petition, the petitioner seeks quashment of the impugned order dated 10.07.2026 (Annexure P/1), whereby respondent No.5 has been posted as Range Assistant, Kandadi, Range West Sonpur, Forest Division Narayanpur, and the consequential order dated 10.07.2026 (Annexure P/2), whereby the petitioner has been transferred to the post of Zone Assistant, Zone East Sonpur, Forest Division Narayanpur.
2. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as Forest Guard in 2006 and was subsequently promoted to the post of Forester in 2014 and Deputy Forest Ranger vide order dated 12.03.2025. He submits that the petitioner was posted as Range Assistant, Kandadi, Range West Sonpur, Forest Division Narayanpur, vide order dated 19.06.2026 and had duly joined and discharged his duties. However, within a short span of 20 days, vide impugned orders dated 10.07.2026, respondent No.5, who is working as Forester and is junior to the petitioner, was posted against the very same post, while the petitioner was transferred to the post of Zone Assistant, Zone East Sonpur, Forest Division Narayanpur. He further submits that the posting order of respondent No.5 was issued before the petitioner's transfer order was communicated to him, which clearly indicates that the impugned action was taken to

accommodate respondent No.5. By referring to the State Government Policy dated 14.07.2014, learned counsel submits that the action of the respondents is arbitrary and contrary to the applicable policy, as no administrative exigency has been disclosed for replacing the petitioner with a junior employee. He, therefore, prays for quashing of the impugned orders.

3. On the other hand, learned State counsel, while opposing the submissions made by learned counsel for the petitioner, submits that the impugned orders have been passed in the interest of administration and on account of administrative exigency. Hence there is no illegality or arbitrariness in passing the impugned orders. He, therefore, submits that the writ petition deserves to be dismissed.
4. Despite service of notice, the respondent No.5 has chosen not to appear before this Court.
5. I have heard learned counsel for the parties and perused the documents available on record.
6. Having considered the submissions made by learned counsel for the parties, it is evident that the petitioner was posted as Range Assistant, Kandadi, Range West Sonpur, Forest Division Narayanpur, vide order dated 19.06.2026 and had duly joined and discharged his duties. However, within a short span of 20 days, the petitioner was transferred to the post of Zone Assistant, Zone East Sonpur, Forest Division Narayanpur, vide impugned order dated 10.07.2026, and respondent No.5, who is working as Forester and is junior to the petitioner, was posted against the

very same post. The sequence of the impugned orders, particularly the fact that respondent No.5 was posted before the petitioner's transfer order was communicated to him, lends support to the petitioner's contention that the impugned action was taken to accommodate respondent No.5. It is further evident from the impugned orders that the respondents have not disclosed any specific administrative exigency warranting the replacement of the petitioner by a junior employee. The impugned orders, therefore, appear to be arbitrary and contrary to the applicable State Government Policy dated 14.07.2014.

7. In view of the foregoing discussion, this Court is of the considered opinion that the impugned orders cannot be sustained in the eyes of law and are liable to be set aside.
8. Accordingly, the writ petition is **allowed**. The impugned orders dated 10.07.2026 (Annexures P/1 and P/2) are hereby quashed. However, liberty is reserved to the State to pass an appropriate order in accordance with law, if so advised.

Sd/-
(BIBHU DATTA GURU)
JUDGE