

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6786 of 2014**

- Raghunandan Lal Sinha S/o Shri Maya Ram Sinha Aged About 56 years
R/o Ward No. 08, Near B.T.I., Thana Sihava & Post & Tahsil Nagari,
District Dhamtari, (CG)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Forest Department,
Mahanadi Bhawan, New Raipur, (CG)
2. Divisional Forest Officer Dhamtari, Forest Division Dhamtari, District
Dhamtari, (CG)
3. Joint Divisional Officer, Birgudi, District Dhamtari, (CG)
4. The Range Officer, Dugli, District Dhamtari, (CG)
5. Shri Kamta Ram Netam Forest Guard, Rang Dugli, Post & Thana
Nagari, District Dhamtari, (CG)

---- Respondents

For Petitioner : Shri Somkant Verma, Advocate.
For Respondents 1 to 4 : Shri Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****29/07/2015**

1. The petitioner is working as Forester in Dugli Forest Range, District Dhamtari. He is aggrieved by the order Annexure-P/1 whereby the charge of Forest Management Committee, Chargaon has been handed over to Shri Kamta Ram Netam, respondent No.5.

2. It is argued that the petitioner being senior to said respondent No.5, in accordance with extant Government circular, the petitioner is entitled for the charge of Forest Management Committee.
3. Learned State counsel would submit that as per the scheme of Management of Forest Management Committee, particularly para 4.9 thereof, the forester or forest guard shall be the ex-officio Secretary of the Forest Management Committee. Respondent No.5 being a forest guard has been handed over the charge of the Forest Management Committee considering the complaints made by the villagers against the petitioner.
4. The circular dated 4th August, 2011 speaks about handing over the current charge to the senior officers. The present is not a case of handing over the current charge to any officer, but it concerns handing over the charge of ex-officio Secretary of Forest Management Committee. The circular in terms does not apply in the present case.
5. Since the forest guard is also entitled to be posted as in-charge Secretary of Forest Management Committee, the decision appears to be purely administrative in nature warranting no interference under Article 226 of the Constitution of India.
6. The writ petition is accordingly dismissed.

Sd/-
Judge
(Prashant Kumar Mishra)