

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WP (S) No. 5731 of 2014**

K.L.Nirmalkar, S/o Shri B.R.Nirmalkar, aged About 56 years, R/o Sub Divisional Forest Officer, Dhamtari Forest Division, Dhamtari, Police Station and District Dhamtari (C.G.)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Forest Department, Mantralaya, New Raipur, P.S. Rakhi, District Raipur (C.G.)
2. The Under Secretary, Department Of Forest, Government Of Chhattisgarh, Mantralaya, New Raipur, P.S. Rakhi, District- Raipur (C.G.)
3. The Transfer Coordination Committee Government Of Chhattisgarh, Mahanadi Bhawan, Mantralaya, New Raipur (C.G.)
4. The Divisional Forest Officer, Dhamtari, District Dhamtari (C.G.)

**---- Respondents**

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| For Petitioner       | Shri Prateek Sharma, Advocate |
| For Respondent/State | Shri Shashank Thakur, GA      |

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**Hon'ble Shri Justice Prashant Kumar Mishra**

**Order On Board**

**28/04/2015**

1. The petitioner has assailed the legality and validity of the order dated 25.10.2014, whereby the earlier transfer order dated 14.07.2014 has been amended even though, the said order was already executed by the petitioner.
2. In the present case, by the impugned order, one R.C. Dugga was brought into the place, where the petitioner is posted, however during

pendency of the petition, said Dugga has been promoted to the post of DFO.

3. In the matter of **Ashok Chandrakar vs. State of Chhattisgarh and others** [W.P.(S) No.73/2012, decided on 09.01.2012], this Court has already held that once the transfer order is executed, nothing remains for being amended or modified because, the employer could always pass fresh orders.
4. In view of the settled view as rendered by this Court in **Ashok Chandrakar** (supra), the impugned order is quashed.
5. Accordingly, the writ petition is allowed to the extent indicated above.  
No order as to costs.
6. Copy of this order be supplied to the parties only after incorporation of the amendment in the writ petition by the petitioner.

JUDGE