

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4079 of 2016

Mahendra Kumar Tiwari S/o Late Shri Bhaiya Lal Tiwari, Aged About 51 Years Presently Posted As Forest Guard At Piperkhunti Zone, Marwahi, Forest Department, Pendra road R/o Forest Colony, Pendra Road, P. S. Gorella, Tahsil Pendra Road District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur (Chhattisgarh)
2. Under Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur (Chhattisgarh)
3. Principal Chief Conservator Of Forest, Raipur, District Raipur (Chhattisgarh)
4. District Forest Officer, Marwahi District Bilaspur (Chhattisgarh)

---- Respondents

Shri Mateen Siddiqui, counsel for the petitioner/s.
Shri Dhiraj Wankhede, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/08/2016

The ground of challenge against the transfer order is that even though the petitioner never made any application for transfer, impugned order shows that he has been transferred on his own request and representation has also been submitted by the petitioner in this regard.

2. It is either a mistake or an act of mischief. The allegations are serious and requires proper enquiry by the transferring authority. Let enquiry be conducted by the respondent / State through responsible officers into the allegations that the petitioner never made application for transfer.

3. The decision on petitioner's representation shall be taken within a period of 30 days from today and appropriate order shall be passed. For a period of four

weeks, no coercive steps shall be taken against the petitioner to compel him to join at the new place of posting.

4. The petition is accordingly finally disposed off.

**Sd/-
(Manindra Mohan Shrivastava)
Judge**