

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4213 of 2016

- Omprakash Bharadwaj S/o Shri Dhaja Ram Bharadwaj, Aged About 40 Years R/o Pasarkhet, Police Station Kartala, Distt. Korba (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Forest Department, Mahanadi Bhawan, Raipur (Chhattisgarh)
2. The Under Secretary, Forest Department, Mahanadi Bhawan, Raipur (Chhattisgarh)
3. The Principal Chief Conservator Of Forest Chhattisgarh, Aranya Bhawan, Medical Collage Road, Raipur Chhattisgarh.
4. The Chief Conservator Of Forest, Bilaspur, Circle, Bilaspur (Chhattisgarh)
5. The Divisional Forest Officer, Korba Forest Division, Korba Chhattisgarh
6. The Forest Range Officer, Lemaru Range, Korba Forest Division, Korba (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Rishi Rahul Soni, Advocate
For State	:	Mr. R.K. Gupta, Dy. Advocate General on advance copy

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

31/08/2016

1. The transfer order has been challenged on the ground that the Divisional Forest Officer vide order dated 07.06.2016, transferred the petitioner from Forest Range - Pasarkhet to Forest Range - Lemaru, which is about 125 km away. The petitioner carried out this transfer order and has joined at Lemru on 25.06.2016. Now, vide impugned order dated 30.07.2016, the State Government has transferred the petitioner to another Forest Division at Forest Range – Surahi, which is about 200 km. away.

2. It appears that earlier the petitioner was adjusted within same division by the Divisional Forest Officer vide order dated 07.06.2016 and now, the State Government vide impugned order has again transferred the petitioner to another division. Therefore, the petitioner appears to have been frequently transferred, one by the order of Divisional Forest Officer and then by the order of the State Government, therefore, in these circumstances, the State Government may consider whether it would be expedient to transfer the petitioner or allow him to remain posted at Lemaru.
3. It is however, found that the representation has not been preferred by the petitioner and straightway filed the petition before this Court. In case, the petitioner submits representation before competent transferring authority within 10 days from today, the State Government shall consider aforesaid aspects in the matter to consider whether the petitioner should be allow to continue at Lemru. Decision may be taken within a period of four weeks. For the next four weeks, petitioner shall not be compelled to join at the place of transfer provided no one has joined at the place of the petitioner.
4. With the said direction, the petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge