

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6110 of 2016

- L.P.Ogre S/o Late Shri K. D. Ogre, Aged About 61 Years Forest Ranger, Maddedh (Social) Forest Division, Bijapur, District Bijapur, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through: The Secretary, Forest Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Distt. Raipur, (Chhattisgarh)
2. Divisional Forest Officer, Bijapur Division, District Bijapur, (Chhattisgarh)

---- Respondents

For Petitioner : Mr. Anup Mazumdar, Advocate
For State : Mr. D.R. Minj, Dy. Government Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

08/11/2016

Heard.

1. The transfer order dated 27.09.2016 is under challenge on the ground that the petitioner is being transferred within the scheduled area without considering his case for transfer to any other station outside the scheduled area, which is in violation of clause 2.1 of the circular dated 03.06.2015, which provides for consideration of case of an officer for transfer outside the scheduled area when he has remained in scheduled area for substantial period. It is also submitted that there is no specific post vacant.
2. It appears that earlier the petitioner was transferred vide order dated 30.07.2016 from one range to another range within same district. This order, at that time, was not challenged by the petitioner, but chosen to challenge modified order passed on 27.09.2016, which is said to have been passed after co-ordination, which *prima-facie* shows that there is some administrative exigency warranting shifting of the petitioner as Officer under Special Duty. Posting of an Officer under Special Duty for specific work is not unknown to administrative arrangements.

3. The grounds, which have been raised may be considered by the respondents authority in the next transfer season because at this stage I am not inclined to interfere with the transfer order in the month of November.
4. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Chandra