

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 6603 of 2016**

A. A. Faruqui S/o Late Shri Asharaf Ali Aged About 61 Years Occupation- Forest Ranger, Posted At Forest Range, Manendragarh, District Koriya, Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through: The Secretary, Department Of Forest, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh
2. The Deputy Secretary, Department Of Forest, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh
3. The Chief Conservator Of Forest, Ambikapur, District Surguja, Chhattisgarh
4. The Divisional Forest Officer, Manendragarh, District Koriya, Chhattisgarh
5. In-Charge Ranger, ( Mr. Heeralal Sen) Range Manendragarh, District- Koriya, Chhattisgarh

**---- Respondents**

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Shri Ashok Kumar Shukla, counsel for the petitioner/s.  
Shri D.R.Minj, Dy.G.A. for the State.

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**05/12/2016**

This petition has been filed by the petitioner assailing legality and validity of order dated 22/11/2016 by which, the petitioner, without change of headquarter, has been posted in the Forest Sub-Division (Production) at Manendragarh.

2. The order of local arrangement is under challenge on the ground that the petitioner was very recently posted as Forest Ranger at Manendragarh Division in the field but from the field, he has been posted in the Production Division. The other ground is that the order of petitioner's posting in the field was issued after approval of the Chief Minister in co-ordination. Therefore, the impugned order could not be passed violating this process. The next ground is that the petitioner has been transferred to accommodate respondent No.5, who is a Deputy Ranger.

Lastly, it is submitted that the petitioner is going to retire within one year and six months. Therefore, at the fag end of his service, he ought not to have been shifted.

3. The impugned order itself shows that it is really not a transfer but a local adjustment. Fundamental Rules defines “transfer” as a movement of a Government Servant from one headquarter to another which would be clear from Chapter II FR-9 (17). The petitioner has not been shifted from one head quarter to another. Therefore, it does not amount to transfer. Therefore, there is no necessity of adopting procedure of coordination.

4. Challenge to the transfer order on the ground that it is an attachment, is bereft of law as necessary material does not show that the petitioner has been attached without there being any post. The petitioner having been posted in the Forest Sub-Division at Manendragarh could be assigned duty in one office or the other. There is no question of attachment.

5. Challenge to the order of local arrangement on the ground of malafides is not material as the officer concerned is not impleaded as party against whom malafides have been alleged. The allegations are as vague as it could be. Therefore, no ground raised in this petition warrants interference by this Court.

6. The petition is accordingly dismissed.

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