

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4251 of 2016

Ramsharan Patel S/o Late Gajadhar Prasad, Aged about 61 years 2 months, At present working as Forester in the office of Assistant Ranger, Beltara Range, Division – Bilaspur, District – Bilaspur (CG)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Forest, Ministry at Mahanadi Bhawan, New Raipur P.S. - Rakhi, District Raipur, (Chhattisgarh)
2. Divisional Forest Officer, Bilaspur, Forest Division, Distt. - Bilaspur (CG)
3. Sub-Divisional Officer, Bilaspur Sub -Division, Bilaspur, Distt. - Bilaspur (CG)
4. Sanjay Kumar Verma, Forester, Narangi Unit, Bilaspur Forest Division, Dist. - Bilaspur (CG)

---- **Respondents**

Shri Rakesh Kumar Jha, counsel for the petitioner/s.
Shri D.R.Minj, Dy.G.A. for the State.
Shri Jitendra Pali, counsel for respondent No.4.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/11/2016

Though State has not filed reply, there is reply by respondent No.4.

1. Learned counsel for respondent No.4 submits that the petitioner was only holding charge at Beltara whereas he is substantively posted at Bilaspur only.
2. Learned counsel for the petitioner submits that at this stage, the petitioner may not be disturbed because his wife is suffering from various ailments and the petitioner has only seven more months for his retirement.
3. The grounds on which the interim order was passed by this Court is that the petitioner was substantively posted at Beltara and while transferring respondent no.4, his transfer has not been indicated. The documents which have been filed along with reply of respondent No.4 reveals that the petitioner is substantively posted at Bilaspur

and he has been given charge of Beltara also and by giving charge of Beltara, his substantive posting at Bilaspur is not disturbed. The grounds of personal difficulty that his wife is at Ratanpur and suffering from kidney ailments and if the petitioner is posted at Beltara, it would be more convenient for him are all matters to be considered by the transferring authorities / State Government and not by this Court. Once, legal grounds are not made out, no indulgence by this Court is called for.

4. The petition is accordingly dismissed.

The petitioner may prefer representation to the authorities within one week and decision thereon shall be taken by the authorities within a period of three weeks from the date of receipt of representation.

Sd/-

(Manindra Mohan Shrivastava)
Judge