

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4335 of 2016

Durugsaya Negiya S/o Late Ramprasad Negiya, Aged About 40
Years Parishetra Sahayak, Lohattar, Durgukondal Area Forest
Division East Bhanupratapur, Bhanupratappur, Distirct U.B. Kanker
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Forest Department,
Mantralaya, Mahanadi Bhawan, Naya Raipur, Distirct Raipur
Chhattisgarh
2. Avar Secretary, Forest Department, Mantralaya, Mahanadi
Bhawan, Naya Raipur, District Raipur Chhattisgarh
3. Divisional Forest Officer, East Bhanupratappur Division,
Bhanupratappur, Distirct Kanker Chhattisgarh
4. Narayan Singh Yadav, Vanpal, Forest Enquiry Barrier, Silpat
Forest Divison East Bhanupratappu, Distirct Kanker Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Parag Kotecha, Advocate
For State	:	Mr. Dheeraj Wankhede, G.A.

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

01/09/2016

Heard on admission.

The petitioner has challenged the transfer order on the ground that recently vide order dated 24.06.2016, the petitioner was shifted from the Depot to Lohhattar, which is about 30 to 40 km. at the district. Now, the State Government has passed the order by transferring the petitioner vide impugned order from Lohattar to Silpat which is about 30 km. away. He submits that if the petitioner is shifted, the petitioner will suffer severe

hardship.

This Court may interfere with the order of transfer on the ground of frequency only in order to save the employee from undue hardship. This aspect requires consideration in each and every given case. The petitioner is a forester and it appears that he has been shifted to a very near place which is less than 40 km. Therefore, where there is a serious hardship requiring the petitioner to continue at the same place, is a matter for consideration of the State. The petitioner may prefer representation within ten days from today and the State Government shall decide within four weeks from the date of receipt of copy of this order whether the petitioner should be allowed to continue at the same place or not.

The petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge