

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2237 of 2017**

- Sukhlal Darro S/o Late Gadaram Darro, Aged About 58 Years
Forest Range Narangi, Forest Division South Kondagaon, District
Kondagaon, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Principal Secretary (Forest)
Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur,
District Raipur, Chhattisgarh
2. Forest Divisional Officer, South Kondagaon, Forest Division
Kondagaon, District Kondagaon, Chhattisgarh
3. Deputy Forest Divisional Officer, West Kondagaon, District
Kondagaon, Chhattisgarh

---- Respondent

For Petitioner	Mr. Manoj Paranjpe, Advocate
For Respondent/State	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

15/5/2017

1. Heard.
2. Learned counsel for the petitioner would submit that on 30.07.2016, the petitioner, a Forest Range Officer, has been transferred from Forest Range, Narangi, South Kondagaon Forest Division, Kondagaon to Gollapalli, Forest Division, Sukma and posted as Range Officer, though it is wrongly mentioned in the said order that the petitioner is posted as Range Officer, Orange Area, Survey Unit, Kondagaon. He would submit that an officer working in the scheduled area is not relieved to join at

the transferred place unless the reliever is available and here, such reliever is not available yet the petitioner is sought to be relieved vide Annexure P/1.

3. Considering the submissions made by learned counsel for the petitioner and for the fact that the petitioner's present place of posting is a scheduled area, ends of justice would be served if the petitioner is permitted to file a representation before the respondent authorities to apprise them that no person is available or has appeared to join at the petitioner's place, therefore, he should not be relieved from the scheduled area.
4. It is ordered accordingly.
5. While deciding the representation, it is also to be considered by the respondent authorities that the petitioner is aged about 58 years and there is Policy that a person above 55 years should not be posted from a scheduled area to remote scheduled area.
6. Let the representation be made by the petitioner within a period of one month from today and thereafter, the competent authority shall decide the representation at the earliest, preferably within a period of 03 months.
7. Till the representation is decided, the petitioner shall not be relieved from his present place of posting.
8. The writ petition is accordingly disposed of. Sd/-

Judge

(Prashant Kumar Mishra)