

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4585 of 2017**

- D.D.Sant S/o Amritdas Sant, Aged About 59 Years Presently Posted And Working As Assistant Conservator Of Forest (ACF), At Sub Divisional Forest Officer, Pali Forest Division, Katghora, District Korba Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Forest , Mahanadi Bhawan, Mantrayala, Naya Raipur, Post Office & Police Station, Naya Raipur, District Raipur Chhattisgarh.
2. Principal Chief Conservator Of Forest, Jail Road, Raipur, P O & P S Raipur, District Raipur, Chhattisgarh
3. Divisional Forest Officer, Katghora, Forest Division, Katghora, District Korba, Chhattisgarh.
4. Arvind Tiwari (A. K. Tiwari,) Assistant Conservator Of Forest, Forest Division, Kathghora, District Korba Chhattisgarh.

---- Respondent

For Petitioner
For Respondent/State
For Respondent No.4.

Mr. Dhaniram Patel, Advocate
Ms. Tripti Rao, Panel Lawyer
Mr. Prateek Sharma, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****9/11/2017**

(1) Heard.

(2) Challenge in this petition is to the order dated 14.8.2017, by which, he has been transferred from Forest Division, Katghora to Forest Division, Bilaspur, on administrative grounds.

(3) The ground raised by the petitioner is that impugned transfer order has been issued contrary to the transfer policy. Further, the petitioner has been transferred, showing the ground of administrative exigency, only to accommodate respondent No.4 as he has been transferred to the petitioner's place of posting on his own request. According to the petitioner, the order has been passed with a mala fide intention to harass him.

(4) Considering the facts situation of the case, it would be appropriate to allow the petitioner to prefer a representation before the concerned competent authority raising his grievance against the impugned order.

(5) Let the petitioner prefer representation within a period of 02 weeks from today and thereafter, the concerned competent authority shall consider and decide the same within the next 6 weeks, in accordance with law and on its own merits.

(6) For a period of 02 months or till the representation is decided, whichever is earlier, the interim order dated 07.09.2017 passed by this Court with regard to the petitioner, shall continue.

(7) The writ petition is accordingly disposed of.

(8) It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge

(Prashant Kumar Mishra)