

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5831 of 2017**

- Agyey Singh S/o Late Shri Ramanuj Singh, Aged About 42 Years
R/o Forest Range Campus Dondilohara, Near Bus Stand District
Balod Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Forest
Department Mahanadi Bhawan, Mantralaya, New Raipur
Chhattisgarh.
2. The Chief Conservator Of Forest , Raipur District Raipur
Chhattisgarh.
3. The Divisional Forest Officer, Balod District Balod Chhattisgarh.

---- Respondent

For Petitioner	Mr. Arvind Dubey, Advocate
For Respondent /State	Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****6/11/2017**

(1) Heard.

(2) Challenge in this petition is to the order dated 14.8.2017, by which, he has been transferred from Forest Range Doudilohara, Forest Division, Balod to the option of Divisional Forest Officer, Kawardha, 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 wife

of the petitioner is suffering from breast cancer, who require proper care, but due to frequent transfers in short span of time, the petitioner is facing great difficulty. The impugned order has also been passed without any administrative exigency, as no one has been transferred in place of the petitioner.

(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 transfer order.

(5) Let the petitioner prefer representation within a period of 04 weeks from today and thereafter, the concerned competent authority shall consider and decide the same within the next 8 weeks, in accordance with law and on its own merits.

(6) For a period of 12 weeks or till the representation is decided, whichever is earlier, the *status quo*, as it exists today, in respect of the petitioner's posting, shall be maintained.

(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)