

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4543 of 2017

Nikhil Kumar Adhikari S/o Late Shri Santosh Kumar Adhikari, Aged About 60 Years
R/o Danteshwari Vihar Colony, Tahsil And Police Station Kondagaon, District
Kondagaon, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Forest, Mahanadi Bhawan, Mantralaya, New Raipur, Police Station Rakhi, District Raipur, Chhattisgarh.
2. The Divisional Forest Officer, Forest Division Kondagaon, District Kondagaon, Chhattisgarh.

---- Respondents

Shri Prateek Sharma, counsel for the petitioner/s.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/09/2017

Heard.

Transfer order has been challenged on the ground that within a period of less than one year, the petitioner has been transferred which is against the present transfer policy dated 11/07/2017.

2. After perusal of the documents on record and letter dated 24/08/2016 filed along with affidavit, it is found that though the petitioner was transferred earlier vide order dated 30/07/2016, he was relieved only on 24/08/2016. Thus, the petitioner could move to join at the new place of posting under earlier order only after 24/08/2016. Therefore, in any case, his transfer order is required to be modified because the authority assumed that the petitioner must have joined under earlier order dated 30/07/2016 prior to 14/08/2017 which has turned out to be factually incorrect.

3. The petitioner has not preferred representation. Let representation be made

within 15 days and the same shall be considered within next four weeks, keeping in view the transfer policy. For a period of six weeks, no coercive steps shall be taken against the petitioner.

4. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge