

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.4680 of 2017

- Hukum Chand Gupta S/o Muni Ram, Aged About 60 Years Posted As Forester, Posted At Raghunath Nagar, Forest Division, Balrampur, District Balrampur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. Under Secretary, State Of Chhattisgarh, Forest Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
3. Chief Conservator Of Forest, Surguja Circle, Ambikapur, District Surguja, Chhattisgarh
4. Divisional Forest Officer, Forest Division Balrampur, District Balrampur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri K. P. Gupta, Advocate
For Respondents/State	:	Shri Satish Gupta, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/09/2017

Heard.

2. Transfer order is under challenge on the ground that the petitioner is being transferred in the capacity as Forest Guard, which is a lower post, because the petitioner's substantive post is Forester.
3. Learned State counsel submits that proper enquiry would be made in this matter as to how the petitioner was treated as Forest Guard and the petitioner could be subjected to transfer in the capacity as Forester.
4. Therefore, it would be open for the State to carry out necessary correction

in the transfer order as the petitioner is entitled to the same capacity, on which, the petitioner is presently working. Unless clarification is issued by the State Government, the petitioner shall not be compelled to proceed on transfer under the impugned transfer order.

5. Accordingly, this petition is finally disposed off.

SD/-
(**Manindra Mohan Shrivastava**)
Judge