

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 94 of 2017**

Varun Rai S/o Late Hare Krishna Rai, Aged About 30 Years Working As Assistant Grade-3, Forest Range Gourela, Pendraroad, District Bilaspur, Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh Through Secretary, Department Of Forest Mahanadi Bhawan, Naya Raipur (Chhattisgarh).
2. Chief Conservator of Forest, Bilaspur Circle, Bilaspur (Chhattisgarh).
3. Vanmadladhikari, Marwahi Vanmandl, Pendraroad, District Bilaspur, Chhattisgarh.
4. Shri Parmeshwar Gurjer, Forest Office, Mandladhikari, Katghora, Korba (Chhattisgarh).

---- Respondents

For Appellant	: Shri Neeraj Choubey, Advocate.
For Respondent/State	: Shri B. Gopa Kumar, Deputy Advocate General.

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri P. Sam Koshy, Judge.

Judgment on Board**Per Thottathil B. Radhakrishnan, Chief Justice****28/03/2017**

1. We have heard Learned Counsel for the Appellant/writ Petitioner and the Learned Deputy Advocate General.
2. The appeal is against the judgment by which the Learned Single Judge refused to interfere with the order of transfer of the Appellant from one division to another. The Learned Judge, having regard to the quality and the nature of allegations in the writ petition thought it advisable to call for the original records. Such records were obtained and perused by the Learned Single Judge and it is found that the approval for the transfer is take well in advance and submitted by

the concerned authority to the Secretary, and that was approved and signed by the Secretary of the department, and finally it was placed before the Minister concerned, who also noted in the note-sheet under his signature, for issuance of the order.

3. The Learned Single Judge did not find any ground to interfere with the transfer of the Appellant. Having considered the contents in Annexure P/1 of the writ petition, we see that it is an order of transfer issued in relation to 116 officers and it has been issued in exigencies of service. They also include other inter division transfers. We cannot therefore find any fault in the judgment of the Learned Single Judge. The writ appeal therefore fails and same is accordingly dismissed.

4. We leave open the submission, though feeble, made on behalf of the Appellant, touching the issue of *interse* seniority of the officers included in the Annexure P/1 of the writ petition.

Sd/-

(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE