

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 4726 of 2017**

Ramashankar Yadav S/o Shri S N Yadav Aged About 57 Years R/o Village Latori  
Tahsil Surajpur & Police Station Jaiyanagar District Surajpur Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary Forest Department , Mantralaya Capital Complex Mahanadi Bhawan Naya Raipur District Raipur Chhattisgarh.
2. Divisional Forest Officer, Surajpur District Surajpur Chhattisgarh.
3. The Collector, Surajpur District Surajpur Chhattisgarh.

**---- Respondents**

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|----------------|---|------------------------------------|
| For Petitioner | : | Shri A.K. Yadav, Advocate          |
| For State      | : | Shri D.R. Minj, Dy. Govt. Advocate |

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**S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**12/09/2017**

1. The transfer order is under challenge on the ground that the petitioner was frequently shifted within his own division and now by the transfer order of the State Govt., he has been transferred from Surajpur district to Kawardha district.
2. Learned counsel for the petitioner submits that the petitioner is a Class-III employee and normally such employee should not be transferred outside the district. It is next submitted that under policy dated 3.6.2015, it has been provided that if an employee has remained posted in scheduled area and he does not wish to leave scheduled area posting, he may be allowed to continue if there is no complaint.
3. As far as the first ground of frequent shifting is concerned, I find that within his own division, the petitioner was being locally shifted to nearby places and now by the impugned order, he has been transferred to another district. Therefore, on this ground, no interference is called for.
4. The other ground that the petitioner is willing to continue in the same district,

in the scheduled area, and not willing to move out of the scheduled area, is a matter which may require consideration. However, it appears that the petitioner has not given any such willingness to continue to work in the scheduled area. The petitioner may submit representation and if such representation is made, it will be considered and decided by the concerned authority within 4 weeks.

5. The petition is accordingly finally disposed off.

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

Praveen