

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1925 of 2017

- Jivan Sharan Tiwari, S/o Shri Indrajit Tiwari, Aged About 59 Years, Presently Posted As Deputy Ranger at Marwahi Forest Circle, R/o Gaurela Forest Range, Marwahi Forest Circle Gaurela, District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur (Chhattisgarh)
2. Principal Chief Conservator of Forest, Raipur, District Raipur, Chhattisgarh
3. Chief Conservator of Forest, Bilaspur, Circle District Bilaspur (Chhattisgarh)
4. Divisional Forest Officer, Marwahi Division, Pendra Road District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	Shri Mateen Siddiqui, Advocate
For Respondent-State	Shri Shashank Thakur, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

24/04/2017

1. Learned counsel for the petitioner would submit that the petitioner is a Class-III employee in the Department of Forest, however, by the impugned transfer order, he has been transferred from Marwahi Forest Division to Dharamjaigarh Forest Division to work in the same capacity. It is argued that under the extant policy as also in view of the order dated 31.10.2015 issued by the

Additional Chief Conservator of Forest (Admn.- non gazetted),
Chhattisgarh, such order cannot be passed during the ban period
without taking the matter to the Coordination Committee.

2. Considering the entire facts situation of the case, the writ petition is disposed of with direction that if the petitioner prefers representation before the Secretary, Department of Forest, Chhattisgarh within a period of 3 weeks from today, the said Authority shall consider and decide the representation at the earliest, preferably within a period of 6 weeks thereafter, by a speaking order.
3. Till the representation is decided or for a period of 10 weeks from today, whichever is earlier, the effect and operation of the impugned order shall remain stayed.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala