

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4141 of 2017

Ashok Kumar Tripathi S/o Late Shri Ram Kumar Tripathi, Aged About 51 Years
R/o Village Sukma, Tahsil And Police Station Sukma, District Sukma,
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 Sukma, District Sukma, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Prateek Sharma, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer

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

Order On Board

30/08/2017

Heard.

1. The transfer order is under challenge on the ground that when an occasion arose for transfer of the petitioner from the present place of posting, which is in the core scheduled area, the policy of the Govt. to consider posting in a non-scheduled area under Clause 2.1 of circular dated 3.6.2015 has not been kept in view. It is submitted that ever since petitioner's initial posting in 1995, the petitioner has remained posted in the scheduled area.
2. Considering the aforesaid submission and the provision contained in clause 2.1 of the Policy, case of the petitioner would require consideration for his posting outside the scheduled area particularly taking into consideration that he has remained posted in scheduled area ever since 1995.
3. It is found that representation has not been made. If the petitioner prefers representation within a period of 15 days along with copy of this order, the

same shall be considered and decided by the authority in 4 weeks and till appropriate decision is taken and orders are passed on representation, the petitioner shall not be compelled to proceed on transfer under the impugned order.

4. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen