

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5956 of 2016

- S.R.Banjare S/o Sarju Das Banjare, Aged About 61 Years, Occupation Service, Presently Posted As Sub Divisional Officer (Forest), Jashpur, District Jashpur, (Chhattisgarh)

R/o HIG 4 Laxmi Niwas Colony, Old Sarkanda, Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Principal Secretary, Department Of Forest, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, (Chhattisgarh)
2. Principal Chief Conservator Of Forest, Chhattisgarh, Raipur, (Chhattisgarh)
3. Divisional Forest Officer, Jashpur, (Chhattisgarh)
4. L.K. Choudhary, S/o T. L. Choudhary, Aged About 58 Years Presently Posted And Working As Sub Divisional Officer (Forest), Jashpur, Forest Division Jashpur, Distt. Jashpur, (Chhattisgarh)

---- Respondents

For Petitioner	Shri Rajeev Shrivastava, Advocate
For Respondent-State	Shri Arvind Dubey, PL
For Respondent No.4	Shri N. K. Malviya, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

17/04/2017

1. Aggrieved by his transfer from the post of SDO (Forest), Jashpur to SDO (Forest), Bemetara, the petitioner had preferred WPS No.3377/2016, which was disposed of with liberty to the petitioner

to prefer representation. The petitioner thereafter preferred representation, which has now been dismissed by the impugned order (Annexure-P-1).

2. In the present writ petition, there is no interim order in favour of the petitioner, therefore, he has complied with the transfer order and has joined at Bemetara. Likewise, the respondent No.4 has also complied the order and joined at Jashpur.
3. Petitioner claims that he is due for retirement within a year, therefore, the State Government should allow him to opt for posting in his home district in terms of the transfer policy dated 11.06.2016.
4. Since the petitioner as well as the respondent No.4 have complied with the transfer order, no interference with the transfer order dated 27.07.2016 can be made at this stage. However, for posting at his option on account of his ensuing superannuation, the petitioner would be at liberty to make representation before the Competent Authority within a month. If such representation is made, the Competent Authority shall decide the same in accordance with the extant government guidelines.
5. The writ petition stands disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

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