

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4650 of 2016

Pandit Prasad Yadav S/o Shri Ramnath Yadav Aged About 36 Years Occupation -Service, Forest Guard Pendarkhi Beet, Forest Division Surajpur, District Surajpur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Forest Department, Mantralaya Mahanadi Bhawan New Raipur, Chhattisgarh.
2. The Conservator Of Forest Surguja District Surguja, Chhattisgarh.
3. The Divisional Forest Officer Surajpur Forest Division, District -Surajpur, Chhattisgarh.
4. The Divisional Forest Officer, Ambikapur Division, District Surguja, Chhattisgarh.

---- Respondents

Ms. Sonia Kuldeep, counsel for the petitioner/s.
Shri D.R.Minj, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/01/2017

Heard.

The petitioner has challenged transfer order dated 30/07/2016 on the ground that the petitioner has been subjected to frequent transfer.

2. Learned counsel for the petitioner submits that the petitioner was posted at the present place vide order dated 09/11/2015 but within a period of 8 months, the petitioner has again been transferred.

3. Learned State counsel submits that because of exigencies of service, petitioner has been shifted. It is also submitted that the petitioner has not impleaded the employee who has been transferred in place of the petitioner.

Therefore, the petition is liable to be dismissed on the ground of non-joinder of necessary party.

4. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the person, who has been transferred in place of the petitioner, has not been impleaded as party and that the petitioner has been kept under the same division and it is not a case that the petitioner has been transferred outside the division, I am not inclined to keep this matter pending.

5. Accordingly, this petition is finally disposed off with a direction to respondent No.3 to consider whether the petitioner could be given posting at a nearby place. If it can be done, the same shall be considered within a period of four weeks from the date of receipt of copy of this order.

For a period of four weeks, coercive steps may not be taken against the petitioner.

Sd/-
(Manindra Mohan Shrivastava)
Judge