

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2141 of 2018

Kishan Singh Thakur S/o Late Bahoran Singh Thakur, Aged About 60
Years Caste Gond (Schedule Caste), R/o Govindpur, Kanker, District
North Bastar Chhattisgarh., District : Kanker, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Forest Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Under Secretary Forest Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Conservator Of Forest, Forest Division Circle Kanker, District North Bastar, Kanker Chhattisgarh., District : Kanker, Chhattisgarh
4. Divisional Forest Officer, Kanker, District North Bastar, Kanker Chhattisgarh., District : Kanker, Chhattisgarh

---- Respondents

For petitioner : Mr. Manoj Paranjape, Advocate

For State : Mr. A. S. Kachawaha, Addl. AG

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

08/03/2018

1. The petitioner has challenged the transfer order dated 24-02-2018 on the ground that the petitioner has continuously remained posted in the Scheduled/Core Scheduled Area for last 38 years in his service but everytime when occasion arises for transfer he is not considered for transfer outside the scheduled area in terms of provision contained in circular dated 03-06-2015. In addition, it is submitted that the petitioner is more than 60 years of age, therefore, the another policy that as far as possible, employees more than 55 years should not be posted in core scheduled area ought to be kept in mind before transferring to core schedule area.

2. After taking into consideration and particularly taking into consideration that the petitioner claims, having remained posted in schedule/ core scheduled area continuously for last 38 years and the presently in core scheduled area, the petitioner is entitled for consideration for being posted to non-scheduled area in view of the policy dated 03-06-2015. The petitioner has not submitted any representation. Therefore, in these circumstances this petition at this stage is disposed off with direction that in case, the petitioner submits representation within a period of 10 days, the same shall be considered and decided within a period of next four weeks. For a period of eight weeks not coercive steps shall be taken against the petitioner non-joining under impugned order of transfer.

3. Accordingly, the petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)

Judge