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**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 6735 of 2018**

Deolal Dugga S/o Shyam Singh Dugga, Aged About 37 Years, R/o Village Karathi (Paddapara) Post Sambalpur, Police Station Bhanupratappur, District Kanker, Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Forest, Mahanadi Bhawan, New Raipur, Police Station Rakhi, District Raipur Chhattisgarh
2. The Divisional Forest Officer, District North Bastar, Kanker Chhattisgarh
3. Election Commission Of India / Office Of Chief Electoral Officer Through The Chief Electoral Officer, Shastri Chowk, Old Mantralaya, Premises, Raipur, District Raipur, Chhattisgarh
4. Shri Dinesh Kumar Tiwari, Forest Ranger, Range Officer, Kapsi, Range West, Bhanupratappur District Kanker, Chhattisgarh

**---- Respondents**


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|----------------------|---|---------------------------------------------------------------------------------------------|
| For Petitioner       | : | Shri Prateek Sharma, Advocate                                                               |
| For State            | : | Shri Prafull N. Bharat, Additional Advocate<br>General and Shri D. Wankhede, Govt. Advocate |
| For Respondent no.3: | : | Shri Rajeev Shrivastava, Advocate                                                           |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****10.10.2018**

The challenge in the present writ petition is to the order Annexure P-1 dated 28.09.2018 whereby the services of the petitioner have been transferred from Range Officer Durgkondal, Forest Range East

Bhanupratappur to Range Officer Kapsi, Forest Range West, Bhanupratappur.

2. The primary contention of the petitioner is that the petitioner has been appointed as a Sector Officer in the upcoming election to be held in the month of November, 2018. Counsel for the petitioner referred to the circular of the GAD dated 08.10.2018 so also the guidelines issued by the Election Commission of India dated 07.01.2017 whereby it has been held that the Officers who have been entrusted with election duty should be protected from being transferred during the election period.

3. Given the said fact, this Court is of the opinion that the petitioner subject to verification of the fact that he has in fact been assigned with the duty of a Sector Officer / any other election assignment stands protected under the circular of the State Govt. Accordingly, he would not be relieved till the election duties are over by the State Govt. The respondents would be free to relieve the petitioner in case need so arises after the election duty is over.

4. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-  
P. Sam Koshy  
Judge**