

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 7186 of 2018

Dilip Singh Marskole S/o Shri Sahu Singh, Aged About 46 Years, Marskole, Presently Posted Ranger, Forest Renge Kusmi, Division Balrampur, District Balrampur- Ramanujganj Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Forest, Mantralaya, Mahanadi Bhawan, Capital Complex, Atal Nagar, District Raipur Chhattisgarh.
2. Deputy Secretary, Department Of Forest, Mantralaya, Mahanadi Bhawan, Capital Complex, Atal Nagar, District Raipur, Chhattisgarh.
3. Divisional Forest Officer, Balrampur, Forest Division Balrampur, District Balrampur- Ramanujganj, Chhattisgarh.
4. Ramchandra Prajapati, Ranger, Forest Division Balrampur, District Balrampur- Ramanujganj, Chhattisgarh.

---Respondents

For petitioner	:	Shri Atanu Ghosh & Shri Varunendra Mishra, Advocates.
For State	:	Shri Dheeraj Wankhede, GA.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30/10/2018

1. The dispute raised in the present Writ Petition is that the petitioner who has already discharging the work of ranger at Forest Ranger, Kusmi has been ordered by the respondent No.3 to handover the charge to the respondent No.4 who has been recently promoted on the post of ranger vide order dated 14/08/2018 and has been posted at the place where the petitioner is working. The petitioner's place of posting has not been changed or altered.

2. The petitioner had assumed the charge of the present place of posting only very recently on 30/10/2017 and within less than a year's time, there is likely of a change in the place of posting which is apprehended.

3. It is further the contention of the counsel for the petitioner that, as a consequence of the charge being given to the respondent No.4, it would amount to there being two persons posted against one post which is otherwise not permissible. He further submits that, between the petitioner and the respondent No.4, it is the petitioner who is senior and therefore the respondents may take appropriate decision considering the alteration of the place of posting of the respondent No.4.

4. Given the aforesaid facts and circumstances of the case, let the petitioner make a suitable representation in this regard to the respondent No.1 within 10 days from today narrating the entire facts and circumstances of the case and thereafter let an appropriate decision be taken by the respondent No.1 within a further period of 30 days taking into consideration the dispute which has been raised by the petitioner and also keeping in view the fact that as a consequence of the issuance of the Annexure-P/4 dated 14/08/2018 permitting the respondent No.4 and the posting which is being given to the respondent No.4 is to a place which is already occupied by the petitioner and there has been no change of posting of the petitioner made till date.

5. It is ordered that till the representation if so filed by the petitioner within 10 days is decided, the effect and operation of the impugned order Annexure-P/1 dated 06/10/2018 shall remain stayed.

6. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit