

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6965 OF 2019**

1. Rathram Patel S/o Late Shri Dhaniram Patel Aged About 47 Years R/o Forest Colony, Bacheli, District Dantewada, Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through The Secretary, Forest Department, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Raipur, Chhattisgarh.
2. Forest Division Officer Forest Division Dantewada, District Dantewada, Chhattisgarh.
3. Ashok Kumar Sonwani Forest Guard, Forest Division Dantewada, District Dantewada, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Prateek Sharma, Advocate.
For State	:	Ms. Abhyunnati Singh, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05.09.2019**

1. Challenge in the present writ petition is to the order of transfer dated 23.08.2019 whereby the respondent No.3 has been transferred from Kotamsar, Jagdalpur to Bacheli, Dantewada.
2. The contention of the petitioner is that, the place where the respondent No.3 has been ordered to be transferred is the same place where the petitioner is presently working as Range Officer. The petitioner has been substantively posted vide order dated 30.07.2016 (Annexure P/2) and since then he has been discharging his duties as Range Officer. There is no modification, amendment or fresh order passed transferring the petitioner to any other place and as such the petitioner substantively remains posted as Range Officer at Bacheli, District Dantewada. Meanwhile, the respondent No.3 is being transferred at the same place.
3. Given the aforesaid facts and circumstances that there is no change of posting for the petitioner, there is no order of transfer in respect of the petitioner and the petitioner holding charge of Range Officer, Bacheli substantively pursuant to order dated 30.07.2016, this court has no

hesitation in holding that as long as there is no order of transfer so far as petitioner is concerned, he cannot be forced to hand over the charge to any other person which may include the respondent No.3.

4. The respondent authorities would be at liberty to take appropriate measure ensuring the redressal of the grievances, if any of the party approaches.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge