

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7427 of 2019**

Kripal Gond (Wrongly Written As Mali) S/o Shri Ramdhan Gond Aged About 49 Years Currently Posted As Government Park, Podi Lafa, Block-Pali, District- Korba, R/o Madwa-Mouha, Post- Podi, Tehsil-Pali, District-Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary Of Department Of Agriculture Development And Farmer Welfare And Bio-Technology, Chhattisgarh Rajya Mantralaya, Mahanadi Bhavan P.S.- Mandir-Hasaud, Naya-Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Directorate Of Forestry Raipur Office At Indravati Bhavan, Second Block, Fourth Floor, Naya Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Assistant Directorate Forestry, Office At Iti Rampur, Old S.P. Office, Korba, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Pallav Mishra, Advocate
For State	:	Mr. P. Acharya, PL

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

13/09/2019

1. The challenge in the present writ petition is to the order of transfer dated 23.08.2019 passed by the respondents transferring the petitioner from Block Pali District Korba to Ambikapur.
2. The challenge to the transfer order is on the ground that the impugned order reflects the transfer of the petitioner to have been made at the request of the petitioner.
3. According to counsel for the petitioner, the petitioner has never moved any application nor has requested for any order of transfer, yet the authorities have shown the order of transfer to have been on its own cost.

Second ground of challenge is that the transfer is being made from one District/Division to Another District/Division. The petitioner is a Class-IV employee working as a 'Mali' (Gardener) and his seniority is maintained at the District/Divisional level.

4. Given the limited grievance that the petitioner has raised challenging the order of transfer, this Court is of the opinion, let petitioner make a detailed representation to the respondents within a period of 10 days from today and on receipt of such representation the respondent authorities are expected to take a decision within a further period of 45 days.
5. Till the representation of the petitioner is decided, the effect and operation of the impugned order Annexure P-1 shall remain stayed so far as the petitioner is concerned.
6. The present Writ Petition, accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit