

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 7532 of 2019

Shiva Nand Mishra S/o Shri Bachhhu Lal Mishra Aged About 60 Years
Presently Posted As Range (In-Charge), Sonhat, Korla, Forest Division,
Baikunthpur District Korla Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Forest, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Principal Chief Conservator of Forest Aranya Bhawan, PCCF Office, Sector - 19, Atal Nagar, District Raipur Chhattisgarh.
3. Chief Conservator of Forest, CCF Office, Ambikapur, District Surguja, Chhattisgarh.

---Respondents

For Petitioner	:	Shri Mahendre Kumar Dubey, Advocate.
For State	:	Ms. Sunita Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23.09.2019

1. Challenge in the present Writ Petition is to the order of transfer dated 23.08.2019 whereby the petitioner has been transferred from Sonhat, Koriya to Balrampur.
2. The contention of the petitioner is that, the petitioner right from the year, 2010 to 2018 has been working at district Balrampur-Ramanujganj and it is only vide order dated 14.03.2018 that the petitioner has been posted at Baikunthpur. However, in less than 1 and ½ years time the petitioner has again been transferred back to district Balrampur. According to the petitioner, he is a person who is more than 60 years of age and has very short tenure left for retirement and transferring the petitioner again to Balrampur would be contrary to the transfer policy of the State Govt. inasmuch as, the petitioner is being transferred from one scheduled area

to another scheduled area and since the petitioner is aged more than 55 years of age, he should not have been transferred to a scheduled area.

3. Given the aforesaid facts and circumstances of the case, let the petitioner make a detailed representation in this regard to the respondents within a period of 10 day from today who, in turn, shall consider and decide the same at the earliest preferably within a further period of 45 days.
4. Till the representation of the petitioner is decided, the effect and operation of the impugned order shall remain stayed so far as petitioner is concerned.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder