

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7920 of 2019**

M. R. Sahu S/o Mayaram Sahu, Aged About 49 Years, R/o Forest
Division Office, Korba, District Korba, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Forest Department,
Mahanandi Bhawan, Mantralaya, capital Complex, Atal Nagar Naya
Raipur, District Raipur, Chhattisgarh
2. Principal Chief Conservator Of Forest, Arnaya Bhawan, Chhattisgarh,
Raipur, District Raipur, Chhattisgarh
3. Chief Conservator Of Forest Bilaspur Circle, District Bilaspur
Chhattisgarh
4. Divisional Forest Officer Korba, District Korba, Chhattisgarh
5. Divisional Forest Officer Janjgir Champa, Forest Division Champa,
District Janjgir Champa, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Manoj Paranjpe, Advocate
For State	:	Ms. Ishwari Ghritlahare, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****30.09.2019**

1. The challenge in the present writ petition is to the order Annexure P-1
dated 23.08.2019 which was served upon the petitioner and his
Department only on 17.09.2019 whereby the petitioner has been
transferred from Sakti to Sukma.

2. According to the petitioner, there was another order dated 23.08.2019 bearing the same reference whereby the name of the petitioner appeared at serial No.30 and the petitioner was ordered to be posted at Forest Range Kartala, Forest Division, Korba from Forest Range, Sakti, Division Janjgir-Champa. According to the petitioner, by virtue of the said order of transfer, the Department immediately relieved the petitioner on 23.08.2019 and the LPC and the Service Book of the petitioner were sent to the Forest Division, Korba on 31.08.2019. The petitioner gave his joining at Korba on 31.08.2019 in the afternoon and since then he has been working at the said place when the impugned order Annexure P-1 again same dated 23.08.2019 bearing the same reference has been issued. This order was served upon the Department only on 17.09.2019. According to the petitioner, after the earlier order dated 23.08.2019 having been issued by the respondents and duly served at the place of posting of the petitioner and after due compliance of the Govt. formalities, the petitioner was relieved and he joined his duties at the transferred place, the subsequent order could not have been passed. The further contention of the petitioner is that he has already worked in scheduled areas in past for about 12 years and it is only just 3 years time that the petitioner was posted at Janjgir-Champa and now vide the impugned order, he is being again transferred to another core scheduled area which is violation of the scheduled area policy of the State Govt.
3. Given the aforesaid facts and circumstances of the case, let the petitioner make a detailed representation to the respondent no.1 within a period of 10 days from the date of receipt of certified copy of

this order and the respondent No.1 in turn shall consider and decide the same within a further period of 45 days from the date of receipt of the representation.

4. Till the representation of the petitioner is decided, the effect and operation of the impugned order so far as the petitioner is concerned shall remain stayed.
5. The writ petition accordingly stands disposed of.

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