

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPS No. 8018 of 2019**

Sohan Lal Verma S/o Late Khorbahra Ram Verma Aged About 51 Years Working As Assistant Rang Officer, Dantewada, Forest Rang Dantewada, District Dantewada, Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary Forest Department Mahanadi Bhawan, Atal Nagar, Nawa Raipur, Chhattisgarh.
2. The Collector District Dantewada, Chhattisgarh.
3. Divisional Forest Officer Dantewada, Division And District Dantewada, Chhattisgarh.
4. Shri Virendra Nag. Forester Forest Division Dantewada, District Dantewada, Chhattisgarh.

**---Respondents**

|                |   |                               |
|----------------|---|-------------------------------|
| For Petitioner | : | Mr. Somkant Verma, Advocate   |
| For State      | : | Ms. Ishwari Ghritlahare, P.L. |

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**25/09/2019**

1. The grievance of the petitioner in the present writ petition is to the order Annexure P/1 dated 23.08.2019, whereby the respondent No.4 has been transferred from the Dantewada Vanmandal to Parikshetra Sahayak, Dantewada, Parikshetra Dantewada.
2. The petitioner is aggrieved of the fact that the petitioner is senior to the respondent No.4 and there is no transfer of posting of the petitioner to a different place and the petitioner continues to be posted at the same place and now the respondent No.4 has been ordered to be posted at the same place and in the process the petitioner has been ordered to be charged to the respondent No.4.

3. Since the petitioner has not been transferred, the situation arises where the petitioner inspite of being senior is forced to work under his junior i.e. the respondent No.4, which is in contravention to the Government policy and the circular issued by the State Government, where the charge can be handed over only to the senior most person available in the station.
4. Given the aforesaid facts and circumstances of the case, let the respondent No.1 take an appropriate decision on the representation that the petitioner shall make and ensure that seniority of the petitioner is honoured in accordance with the circular and policy of the State Government, so far as handing of charge is concerned.
5. Let the petitioner make a detailed representation to the respondent No.1 within a period of 10 days from today and the respondent No.1 in turn shall consider and decide the representation within a further period of 45 days from the date of receipt of representation. Meanwhile, there shall be a stay of the effect and operation of the impugned order, so far as the petitioner is concerned.
6. With the aforesaid observations, the present writ petition stands disposed of.

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

Ved