

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 8035 OF 2019**

Neeraj Kumar Tiwari, S/o Shri Mohan Lal Tiwari, aged about 42 years,
 occupation- Service, working as Range Assistant, Umarwah, Range Bahrasi,
 Forest Division- Manendragarh, District Koriya (CG) ... **Petitioner**

versus

1. State of Chhattisgarh, through its Secretary, Department of Forest, Mahanadi Bhawan, Naya Raipur, District Raipur (CG)
2. District Forest Officer, Manendragarh, Forest Division- Manendragarh, District Koriya (CG)
3. Pradeep Dubey, occupation- Service, working as Forest at Range- Janakpur, Forest Division- Manendragarh, District Koriya (CG) ... **Respondents**

For Petitioner	:	Mr. Vinay Pandey, Advocate.
For Respondents 1 & 2	:	Mr. Jitendra Pali, Dy. A.G.
For Respondent 3	:	Mr. Jai Prakash Shukla, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/10/2019

1. Challenge in the present writ petition is to the order dated 23.8.2019 (Annexure P-1) whereby the respondent no.3 has been transferred from Forest Range, Janakpur to Forest Range Bahrasi, Forest Division Manendragarh as Range Assistant, Umarwah.
2. Contention of the counsel for the petitioner is that the name of the petitioner does not find place in the said order of transfer whereas the respondent no.3 has been transferred at the place where the petitioner works and the respondent no.3 as well as the authorities in the department are insisting the petitioner for handing over the charge to respondent no.3. According to the counsel for the petitioner, the petitioner has been substantively posted on the said place vide order dated 20.9.2017 and by virtue of which he has been discharging his duties there, inasmuch as there is no specific order posting the petitioner elsewhere or directing the petitioner to hand over the charge to respondent no.3. There is no reason assigned why the petitioner should be compelled or forced to give the charge to respondent no.3.
3. At the same time, the respondent no.3, represented through his counsel in the present writ petition, submits that he has already given his joining on the said place on 27.9.2019, as such the order stands complied with except for receiving of the charge of the said post.

4. Given the said facts and circumstances of the case, the dispute needs a consideration by respondent no.1 at the earliest so as to resolve the dispute between the petitioner and respondent no.3, since there is no order of posting of the petitioner to a different place and the place where the petitioner is working is the place where he is substantively posted vide order dated 20.9.2017 and now the respondent no.3 is also being sent to the same place without changing the place of posting of the petitioner.

5. Let therefore the petitioner make a suitable representation in this regard to respondent no.1 within a period of 10 days, which shall be duly considered and decided by respondent no.1 at the earliest.

6. Till the representation of the petitioner is decided, let status quo as it exists today be maintained so far as the posting of the petitioner as well as respondent no.3 is concerned.

7. With the aforesaid, the writ petition stands disposed of.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE