

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 8011 of 2019**

Motilal Sahu S/o Shri Vishram Sahu, Aged About 53 Years, Presently
Posted As Forest Guard, At Rajadera Beat Zone, Pithora, Forest
Department, District- Mahasamund, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Forest,
Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur,
Chhattisgarh
2. Divisional Forest Officer, District- Mahasamund, Chhattisgarh
3. Forest Range Officer, Pithora, District- Mahasamund, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ashutosh Mishra, Advocate.
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****27.09.2019**

1. The challenge in the present writ petition is to the order of transfer
Annexure P-1 dated 23.08.2019 whereby the petitioner has been
transferred from Mahasamund to Gariyaband.
2. The ground of challenge is that the petitioner is an office bearer
inasmuch as the petitioner is the General Secretary of Chhattisgarh
Van Karmachari Sangh and therefore he falls under the protected
category as per the transfer policy of the State Govt and he could not

have been transferred.

3. Given the aforesaid fact, let the petitioner make a detailed representation to the respondents within 10 days from the date of receipt of certified copy of this order and the respondents in turn shall consider the same within a period of 45 days from the date of receipt of the representation.
4. The fact that the petitioner is an office bearer is one which needs to be verified by the authorities concerned and if it is revealed that the petitioner is not an office bearer, the authorities would be free to initiate disciplinary action against the petitioner for misleading the Court and filing false affidavit in the Court for obtaining favourable order.
5. 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.
6. With the aforesaid observation, the writ petition stands disposed of.

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