

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8667 of 2019**

- Smt. Vinita Kujur W/o Shri Vinod Kujur Aged About 37 Years Working As Forester, Paradol Range, Manendragarh, District Koriya, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Forest Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh
2. The Principal Chief Conservator Of Forest Atal Nagar, New Raipur, Chhattisgarh
3. The Divisional Forest Officer Manendragarh, Forest Division, Manendragarh, District Koriya, Chhattisgarh
4. Smt. Jyoti Tirkey Working As Forester Bit Banji Forest Range, Manendragarh, Forest Division, Manendragarh, District Koriya, Chhattisgarh

---- Respondents

For Petitioner : Shri Ramsevak Soni, Advocate

For Respondents/State : Ms. Akanksha Jain, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****23/10/2019**

1. Heard.
2. The case of the petitioner is that the petitioner was posted at Manendragarh on 18.06.2019 and in order to accommodate respondent No.4 again a transfer order has been issued, whereby the petitioner has been transferred from Paradol, Manendragarh Range, Forest Division Manendragarh to Ghutra, Manendragarh Range, Forest Division Manendragarh. Earlier in WPS No.8297 of 2019 the transfer of respondent No.4 was challenged. Wherein this Court has dismissed the said petition on 15.10.2019 and has passed the following

order:-

- “1. Case of the petitioner is that no transfer order has been issued in favour of the petitioner. As against this it is contended that respondent No.4 Smt. Jyoti Tirkey has been transferred to the place where the petitioner is working i.e. Paradol Range, Manendragarh, District Koriya. It is stated that how two persons can work in the same post, therefore transfer of respondent No.4 Smt. Jyoti Tirkey which is affected by an order dated 23/08/2019 may be cancelled.
 2. If the petitioner is working at a particular place i.e. Paradol Range, Manendragarh, District Koriya and one Smt Jyoti Tirkey has also been transferred to same place, it is not the domain of the petitioner to question transfer of the respondent. It is the prerogative of the State to distribute the job and place a particular person or persons in the office to discharge the duties. On the prayer of the petitioner the transfer of respondent No.4 Smt. Jyoti Tirkey cannot be cancelled and petitioner cannot claim exclusive lien over the post.
 3. Petition has no merit and it is accordingly dismissed.”
3. While the earlier writ petition WPS No.8297 of 2019 was heard, the transfer order dated 23.08.2019 was not brought before the notice of this Court. The petitioner though claims that it was loaded in the website on 14.10.2019.
 4. Learned State counsel would submit that the petitioner has been transferred in the same locality and the transferred place is only at the distance of 30-35 kms.
 5. Considering the fact that the transferred place is only at the distance of 30-35 kms and on the earlier occasion too the transfer of respondent No.4 was challenged and the same has been dismissed and any order to modify the transfer order of the petitioner, it would amount to review the earlier order passed in WPS No.8297 of 2019, therefore, I am not inclined to interfere with the same.
 6. Accordingly, the writ petition is dismissed.

Sd/-
Goutam Bhaduri
Judge