

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9127 of 2019**

- Surendra Ram Nikunj, S/o Shri Kariman Ram Nikunj, Aged About 51 Years, Working As Forester, Forest Circle, Kedma Forest Range, Udaypur, District - Surguja Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Under Secretary, Forest Department, Mantralaya, Atal Nagar, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Divisional Forest Officer, Ambikapur, District - Surguja Chhattisgarh
3. Dalganjan Yadav Working As Forester, Flying Squad, Surguja Forest Division, District - Surguja Chhattisgarh
4. The Forest Range Officer, Udaypur, District - Surguja Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Harish Khuntiya Advocate
For Respondents/ State	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****08/11/2019**

1. The challenge in this petition is to the order Annexure P-1, wherein the Respondent No. 3 has directed to handed over the charge to the petitioner of Forest Circle, Kedma.
2. Learned counsel for the petitioner submitted that this is the second round of litigation, the earlier round of litigation was in WPS No.8596/2019. The respondent No. 3 was transferred to the same place of the petitioner, that order was under challenge. However, the same was dismissed on the ground that no cause of action is said to have been arisen and the petitioner

has not been transferred. Subsequent to the order Annexure-P4, the respondent has been posted on 19.10.2019, whereby the entire charge was handed over to the Respondent No.3, therefore, when entire charge is handed over, no work would be left over to be performed by the petitioner.

3. The perusal of the order under challenge Annexure-P4, perused that the Respondent No.3 has been directed to take charge from the petitioner at Kedma Circle, Forest and the petitioner has been directed to record his presence at the Forest Division, Udaypur. It is prerogative of the particular office of the State to distribute the work. This Court in exercise of power under Article 226 of Constitution of India cannot be step into the authority of the office, so as to direct the particular work to be done in a particular way and by whom it is to be done.
4. The nature of order which is under challenge is a incident of service in execution of daily work of a particular office. The High Court would not be correct to say as to how a particular work to be done by whom, therefore, I do not find any substance in this petition to be entertained.
5. Accordingly, the petition stands dismissed.

Sd/-

(Goutam Bhaduri)
Judge