

HIGH COURT OF CHHATTISGARH AT BILASPUR**W.P.(S) No. 9799 of 2019**

Ku. Niroj Singh, D/o. Shri Vinod Singh, Aged About 39 Years, R/o. Ward No. 12, Kolpara Sonhat, P.S. Sonhat Korea, District Korea, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Forest, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh
2. The Upper Secretary, Department Of Forest, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh
3. The Director, Guru Ghasidas National Park, Baikunthpur, District Korea Chhattisgarh
4. The Regional Forest Park Officer Sonhat, Ramgarh, District Korea Chhattisgarh
5. The Conservation Of Forest (Animals) Surguja, District Surguja Chhattisgarh
6. Shashi John Minj Assistant Enclosure (Parishetra Sahayak) Kailashpur, Forest Division Baikunthpur, District Korea, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Vikas Pandey with Mr. Shiv Sagar Tiwari, Advocates
For State	:	Mr. Ravish Verma, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.11.2019

1. Grievance of the petitioner is that the petitioner was placed by order dated 12.06.2019 from Forest Guard Revlar, Park Range Sonhat to Assistant Forest Guard Chandaha, Park Range Sonhat.
2. It is stated that the respondent No.6 by the order dated 23.08.2019 has been transferred from Kailashpur, Forest Division Baikunthpur to Forest Range Chandaha wherein the petitioner was directed to hold the charge i.e. Forest Chandaha Park Range Sonhat and by the order dated 14.10.2019 she has been directed to hand over the charge to the respondent No.6. It is stated that the said order to hand over the charge is too ambiguous which cannot be executed and the petitioner has taken

over the charge recently. Therefore, the impugned order dated 14.10.2019 whereby the petitioner has been directed to hand over the charge is bad in law.

3. State counsel opposes the argument.
4. Perused the document Annexure P-3 wherein the petitioner was transferred from Forest Guard Revlar, Park Range Sonhat to Assistant Forest Guard Chandaha, Park Range Sonhat. The letter dated 12.06.2019 has categorically speaks that in order to meet out the exigency and fight between the elephant and people under the wild life conservation, the work was temporarily allotted to the petitioner; whereas the respondent No.6 has been transferred by the order dated 23.08.2019 (Annexure P-4).
5. Since the petitioner was only given temporary charge for the time being to meet out the exigency, in the facts of this case, when she has been asked to hand over the charge, I do not find any illegality and ambiguity to arrest the said order. The petition being devoid of any force for the reason that it is the prerogative of the State to place an employee to a particular post and distribute the work. Intervention of the High Court in the nature of this kind would destroy the working of the office; consequently the petition has no merit and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge