

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 10257 of 2019**

- Sukhlal Darro S/o Late Shri Ganda Ram Darro Aged About 60 Years Occupation Service, Presently Posted As Forest Ranger Dhoudai, Forest Division Narayanpur, District Narayanpur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Forest Department Mantralaya Mahanadi Bhawan, Capital Complex, Atal Nagar Naya Raipur, District Raipur, Chhattisgarh
2. The Under Secretary Forest Department, Mantralaya Mahanadi Bhawan, Capital Complex, Atal Nagar Naya Raipur, District Raipur, Chhattisgarh
3. Chief Conservator Of Forest Raipur Aranya Bhawan, Sector 19 Naya Raipur Atal Nagar, District Raipur, Chhattisgarh
4. Shri Narad Lal Vaidya Ranger Forest Division Narayanpur, District Narayanpur, Chhattisgarh

---- Respondents

For Petitioner : Shri Sunil Sahu, Advocate

For Respondents/State : Shri Soumya Rai, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/12/2019**

1. Heard.
2. Learned counsel for the petitioner would submit that the petitioner was initially transferred from Special Duty Kondagaon Forest Division Kondagaon to Forest Range Dhoudai on 23.08.2019. Pursuant to such transfer order the petitioner joined the services at Dhoudai on 13.09.2019 vide Annexure P-3 and his joining

at Dhou dai was accepted by the Chief Conservator of Forest on 05.10.2019 vide Annexure P-4. He would further submit that since one Narad Lal Vaidya was posted at Forest Range Dhou dai, he challenged the transfer of the petitioner in WPS No.8038 of 2019 on the ground that he was having a very short service tenure and was due for retirement, therefore, he may not be disturbed. Accordingly, this Court in WPS No.8038 of 2019 on 03.10.2019 directed to accommodate respondent No.4, who was the petitioner herein, without disturbing the present place of posting of Narad Lal Vaidya. Thereafter, consequent to such interim order passed by this Court the impugned order dated 27.11.2019 has been passed whereby the petitioner has been transferred from the office of Forest Range Dhou dai, Division Narayanpur to Forest Range Chhotedongar, Division Narayanpur. He would further submit that at Chhotedongar one Govindram Netam is already working, therefore, the petitioner cannot join there and one post of Special Officer is vacant at Dhou dai, therefore, the petitioner may be accommodated or his transfer may be suitably amended.

3. Per contra learned State counsel submits that the order of transfer is well merited which do not call for any interference as the distance of transferred place is not very much.
4. Perusal of the record shows that initially the petitioner was transferred from Special Duty Kondagaon forest Division, Kondagaon to Forest Range Dhou dai, pursuant thereto the petitioner joined to the place of transfer and his joining was accepted. It appears that because of the order passed by this Court in WPS No.8038 of 2019 filed by Narad Lal Vaidya, who was posted at Dhou dai he since is going to retire soon, this Court has ordered that Narad Lal Vaidya, who

was working as Range Officer at Dhou dai Forest Division, shall not be disturbed. Subsequently, the transfer order of the petitioner was amended and he was transferred at Forest Range Chhotedongar. It is contended that one Govindram Netam is posted at Chhotedongar, who has filed a writ petition bearing WPS No.9174 of 2019 wherein this Court 11.11.2019 directed to decide the representation of Govindram Netam, who is placed at Chhotedongar within a period of 45 days. Consequently, as is pleaded that Govindram Netam has been granted the temporary interim protection. In view of the existing facts, it is directed that the petitioner may also file a representation before the Grievance Redressal Committee within a period of one week from today and the Committee thereafter shall decide the representation of the petitioner along with the representation so filed by Govindram Netam. Till then no coercive steps shall be taken against the petitioner.

5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge