

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 873 of 2020**

- Ajay Sharma S/o Late Shri Atmaram Sharma, Aged About 57 Years R/o 28, Shri Ram Residency Colony, Opposite Maharshi Vidya Mandir, Mangla, Civil Line Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of Forest, Mantralaya, Naya Raipur, District Raipur Chhattisgarh
2. Chief Conservator Of Forests, Department Of Forest, Mantralaya, Naya Raipur, District Raipur Chhattisgarh
3. A. S. Nag, Forest Range Officer Khodri (Special Duty), Marwahi Forest Division, District Bilaspur Chhattisgarh
4. Chandketu Mahipal, Range Officer, Khodari, Marwahi Forest Division, District - Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Sandeep Dubey, Advocate
For Respondents/State	:	Ms. Beenu Sharma, PL
For Respondent No.3	:	Shri Animesh Tiwari, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****12/02/2020**

1. Heard.
2. Learned counsel for the petitioner would submit that the petitioner has been transferred from incharge Range Officer, Bilaspur Range to Incharge Range Officer, Khodari, Marwahi Forest Division.
3. It is stated that in Marwahi respondent No.4 has already been posted and he is only left with few months of retirement, therefore, he made a representation to

cancel his transfer. It is further submitted that the impugned transfer order dated 04.02.2020 has been made during the ban period as clause 3.1 of the transfer policy shows that after 14.08.2019 there shall not be any transfer.

4. Learned counsel for the respondent No.3 submits that the respondent No.3 is the substantive cadre of Range Officer, whereas the petitioner is Deputy Range Officer, therefore, by transfer of respondent No.3 to Bilaspur, the petitioner cannot hold a lien over the post.
5. Be that as it may, the clause 3.1 of the transfer policy shows that after 12.07.2019 and 14.08.2019 there shall be ban on the transfer and the transfer can be made after the approval by the co-ordination committee. Given the aforesaid facts, the petitioner is given liberty to make a detailed representation in this regard before the respondent No.1 within a period of 10 days from today and on such representation being filed, the said respondent shall consider and decide the same within a period of 30 days from the date of receipt of the representation. Till the representation of the petitioner is decided, the parties are directed to maintain status quo, which exists today.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge