

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURWPS No. 3607 of 2020

- Sadulla Sheikh S/o Late Abdul Sakur Aged About 54 Years R/o Village Nignohar Post Bansipur District Koriya Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Forest Mahanadi Bhawan Atal Nagar Nava Raipur Chhattisgarh.
2. Principal Chief Conservator Of Forest Aranya Bhawan, North Block, Sector - 19, Atal Nagar, District Raipur Chhattisgarh.
3. The Divisional Forest Officer Forest Division Surajpur, District Surajpur Chhattisgarh

---- Respondents

For Petitioner : Mr. K.P.S. Gandhi, Advocate

For Respondents/ State : Ms. Akansha Jain, Dy. G.A.

Hon'ble Shri Justice Goutam BhaduriOrder15.09.2020

1. Heard.
2. The challenge in the present writ petition is to the order dated 20.08.2020 (Annexure P/1) whereby the petitioner has been transferred from Koriya Forest Division in Devgarh Range circle Nignohar to Surajpur Forest Division by the respondent No. 2.
3. Learned counsel for the petitioner submits that as per the recent

circular of the State dated 27.05.2020 (Annexure P-6), transfer during the pandemic period could have been done only with certain restrictions. He further submits that the transfer has been effected after the ban period thus transfer cannot be done, as the period of transfer was allowed up till 07.09.2019.

4. Perused the circular of the State and as per the last circular which is also placed on record dated 27.05.2020 (Annexure P/6) which is in respect of the transfer during the pandemic period purports that the transfer has to be done after certain approval of the authority. Under the facts of the case, the petitioner is given liberty to make a representation to Respondent No. 1 within a period of 3 weeks from today and in case such representation is filed the same shall be decided within a further period of 45 days.
5. In the meanwhile, till the representation of the petitioner is decided, the transfer order dated 20.08.2020 in respect of the petitioner shall not be given effect to.
6. With the aforesaid direction, the writ petition stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge