

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4076 of 2020**

- Smt. Sangeeta Netam W/o Shri Budh Singh Netam, Aged About 39 Years Occupation Service, Presently Posted As Forester Forest Division South Kondagaon, Makadi Range, Katagaon Beet, District Kondagaon 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. Chief Conservator Of Forest Kanker Range, Kanker, District North Bastar Kanker Chhattisgarh
3. Divisional Forest Officer, Forest Division South Kondagaon, District Kondagaon Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Sunil Sahu, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****14.10.2020**

1. Heard
2. Learned counsel for the petitioner would submit that after promotion the petitioner was posted as Forester at Kondagaon in the month of July, 2019. Subsequently, her services were availed at different places from time to time and on 11.08.2020 she has been transferred from Dahikonga Region to Kondagaon again. He further submits that now by order dated 25.09.2020, she is again being transferred from South Kondagaon Forest Division to Narayanpur Forest division. He further submits that the petitioner was posted at Kondagaon in the month of July 2019 and within short span of time she has again been transferred to Narayanpur. He further refers to Annexure P-6 and would submit that the petitioner is carrying

pregnancy of about 5 months and her delivery date is 29.01.2020, therefore at this stage the petitioner may not be transferred.

3. Learned State counsel opposes the argument and would submit that distance from Dahikonga Region to Kondagaon is approximately 10 kms, therefore it is not a transfer.
4. Considering the pleadings in the petition that the petitioner was posted at Kondagaon in the month of July 2019 and the documents shows that the petitioner is assigned certain jobs at different places from time to time. Prima facie, it appears that within a short span of time she is transferred to Narayanpur and specially taking into consideration Annexure P-6 that the petitioner is carrying pregnancy and her delivery date is given as 29.01.2021, the petitioner is given the liberty to make a representation to Respondent No. 2 within a period of 4 weeks from today. The representation so made shall be decided by Respondent No. 2 within a further period of 60 days from the date of receipt of a copy of the representation.
5. In the meanwhile, considering the medical condition of the petitioner till the representation of the petitioner is decided transfer of the petitioner dated 25.09.2020 (Annexure P-1) shall not be given effect to.
6. With the aforesaid observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge