

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9302 of 2019

Deepchand Kispotta S/o Late Alphos Kispotta Aged About 60 Years Presently
Posted as Deputy Ranger at Forest Circle Khadgawan, District : Koriya
(Baikunthpur), Chhattisgarh **--- Petitioner**

Versus

1. State of Chhattisgarh Through The Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Chief Conservator of Forest Surguja Circle, Ambikapur District : Surguja (Ambikapur), Chhattisgarh
3. Divisional Forest Officer Forest Division Korea, Baikunthpur, District : Koriya (Baikunthpur), Chhattisgarh
4. Ajay Tiwari Deputy Ranger, Posted at Forest Division, Baikunthpur, District : Koriya (Baikunthpur), Chhattisgarh **--- Respondents**

For the Petitioner	:	Mr. Krishna Kumar Devangan, Advocate
For Respondent/ State	:	Mr. Kunal Das, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.02.2020

1. Learned counsel for the petitioner submits that the petitioner who is working as Range Assistant has been transferred from the Forest Range Khadgaon to Golhapani, Forest Range Baikunthpur vide order dated 24.10.2019 (Annexure P-1) which is under challenge in this writ petition.
2. It is contended that the transfer has been made in the ban period as it has been effected after 14.08.2019. Learned counsel refers to Clause 3.1 of the transfer policy and submits that if an emergent situation warrants, the transfer can be effected in the ban period only after obtaining approval in coordination. However, in the instant case, the transfer was not approved by the Coordination Committee before such transfer. He further submits that respondent No.4 who has been transferred in place of petitioner is junior and the petitioner has been

placed at Khadgaon in April, 2018 and he was subjected to transfer within a short period of time. It is further submitted that the petitioner will be retiring from service in the year 2021 and since short period is left for his superannuation, the transfer may be stayed.

3. A perusal of the Order (Annexure P-1) shows that it is on 24.10.2019 much time has been passed. Considering the Clause 3.1 of transfer policy which purports that after obtaining approval from the Coordination committee the Transfer can be made in a very emergent situation, this writ petition is disposed of with a direction/observation that the petitioner may make representation to respondent no.2 the Chief Conservator of Forest within a period of 2 weeks from today and on such a representation being filed, the same shall be considered and decided within a further period of 45 days.

**Sd/-
(GOUTAM BHADURI)
JUDGE**