

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3919 of 2021

1. Dular Sai S/o Rambharos Sai Aged About 55 Years R/o Forest Range Duldula, District Jashpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Forest Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Atal Nagar, Nawa Raipur District Raipur Chhattisgarhs
2. Divisional Forest Officer Jashpur District Jashpur Chhattisgarh
3. Principal Chief Conservator Of Forest-Cum-Van Bal Pramukh Chhattisgarh Aranya Bhawan, Sector-19, North Block Nawa Raipur Atal Nagar, Raipur District Raipur Chhattisgarh
4. Chief Conservator Of Forest Surguja Circle, District Surguja Chhattisgarh
5. Nikhil Paikra Forest Ranger, Forest Range Officer Lormi (General Range) Division Mungeli District Mungeli Chhattisgarh

----Respondents

For Petitioners	: Shri Manoj Paranjpe, Advocate.
For State	: Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/07/2021

1. Aggrieved by the order Annexure P/1 dated 15.07.2021, the present writ petition has been filed.
2. Vide the impugned order, the petitioner has been transferred from the post of Range Officer Duldula (General) range Forest Division Jashpur to the Office of the Chief Conservator of Forest Surguja range at the option of Chief Conservator of Forest.

3. Counsel for the petitioner primarily submits that the order of transfer is one which would fall within the category of a frequent transfer in as much as it was only very recently on 23.03.2020 that the very same respondents had transferred the petitioner from Surguja to Jaspur and the petitioner stood relieved on 28.11.2020 and the petitioner joined at Jaspur on 07.12.2020. Fairly Six months having passed the impugned order again has now been passed bringing the petitioner back to the office of Chief Conservator of Forest Surguja range at Surguja.
4. Other ground that the petitioner raises is that right from the time of the appointment, the petitioner has been working only in a schedule area and the petitioner as of now is aged around 55 years. The respondents ought to have considered the petitioner to have been transferred to a non-schedule area in-terms-of the transfer policy of the State Government.
5. All said and done, taking into consideration the limited scope of interference that the High Court under Article 226 can make, the writ petition at this juncture is disposed of directing the petitioner to approach the respondents No. 1 & 3 by making a suitable representation within 7 days ventilating his grievances. Upon such representation being made, the respondents No. 1 & 3 are expected to take a decision at the earliest preferably within a period of three weeks from the date of receipt of the representation of the petitioner.
6. Counsel for the petitioner is directed to ensure that representation is filed within a period of 7 days from today. For the limited period of

three weeks' time or the date of deciding of the representation whichever is earlier, the impugned order so far as the petitioner is concerned, shall not be given effect to.

7. Writ Petition is allowed and disposed of accordingly.

Sd/-
(P. Sam Koshy)
Judge

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