

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURWPS No. 6270 of 2021

1. Rajachandra Yadav S/o Late Sobha Ram Yadav Aged About 61 Years Posted As Forester At Range Officer West Paralkot (General), Range, Forest Area West Bhanupratappur, District-Kanker, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through-Secretary Department Of Forest, Manatralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District- Raipur, Chhattisgarh
2. Principal Chief Forest Conservator, Aranya Bhawan, Sector-19, North Block, Nava Raipur, Atal Nagar, District- Raipur, Chhattisgarh
3. Chief Forest Conservator, Kanker Circle, District- Kanker, Chhattisgarh
4. Shri Tekram Marai, Forester, Posted As Incharge-Flying Squad, Kanker Forest Area, District Kanker, Chhattisgarh

---- Respondents

For Petitioner : Shri Shashank Thakur, Advocate
 For Respondent/State : Shri Akhtar Hussain, Panel Lawyer

Order On Board

By

Hon'ble Shri Justice Goutam Bhaduri15-11-2021

1. Heard learned counsel for the parties.
2. Learned counsel appearing for the petitioner would submit that the petitioner was working as Forest Range Officer, West Paralkot (General) Circle, Bhanupratappur and he has been transferred to the Area Officer, West Paralkot (Production),

which has entirely different set up. Learned counsel would further submit that the petitioner is going to retire from service on 28-2-2022 on attaining the age of superannuation and hence at the fag end of service career, when only little time is left, the petitioner may not be transferred. In fact, in place of the petitioner the respondent No.4 has been transferred on his own expenses. According to the petitioner, he has been made to pay to accommodate the transfer of the respondent No.4.

3. *Per contra*, learned counsel appearing for the State would submit that the transfer of the petitioner has been made in the same division and as such no prejudice would be caused in calculating the retiral dues of the petitioner.
4. Considering the entire facts situation of the case, particularly considering the fact that the respondent No.4 has been transferred in place of the petitioner on his own expenses and also considering the fact that the petitioner is going to retire from service on 28-2-2022, which, *prima facie*, appears that not much time is left, the writ petition is disposed of directing the petitioner to make a representation to the respondent No.2 within a period of three weeks from today. Thereafter, the respondent No.2 shall consider and decide the same, in accordance with law and on its own merits, within a period of thirty days. Till then the transfer order dated 18-10-2021 (Annexure – P/1) shall not be given effect to.

Sd/-
(Goutam Bhaduri)
Judge

Gowri