

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7 of 2021**

Rajesh Baghel Son Of Late Nadgu Ram Baghel Aged About 50 Years
Working As Draftsman, Office Of Planning Forest Division, Jagdalpur,
District- Bastar (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Forest Department,
Mahanadi Bhawan, Mantralaya Atal Nagar, New Raipur, District- Raipur
(Chhattisgarh)
2. The Principal Chief Conservator Of Forest Chhattisgarh, Aranya Bhawan,
Sector-19, North Block, Nawa Raipur (Chhattisgarh)
3. The Incharge Conservator Of Forest, Planning Forest Division, Jagdalpur,
District- Bastar (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Vikash A. Shrivastava, Advocate
For State	:	Mr. Sudeep Verma, Dy. GA

Hon'ble Shri Justice P. Sam Koshy
Order on Board

01/02/2021

1. The challenge in the present writ petition is to the order of transfer, transferring the petitioner from Jagdalpur to Bijapur.
2. On a query being put to learned counsel for the petitioner he fairly concedes that at the present place of posting the petitioner has been working for quite some time. The only ground of challenge is that the petitioner has already served around 10 years of service in a scheduled area and therefore if at all the Department intended to transfer, he ought to had been transferred to a non scheduled area.

3. This Court have earlier also held that it is always the prerogative of the State Authorities to decide when, where and for how long an employee/officer has to be posted. This Court's in exercise of writ jurisdiction have very minimal powers for interference. The scope of interference in a transfer matter under service law jurisdiction has already been settled by a catena of decisions wherein it has been held that unless an order of transfer is contrary to the rules or has been in violation of any of the rules or has been issued by somebody who is not otherwise competent under the service regulations the same cannot be interfered with. In the instant case none of these grounds have been raised to challenge the same.
4. Under the circumstances, the only relief that the petitioner at this juncture can have is to ventilate his grievance before the respondents by moving an appropriate representation showing his personal inconvenience so far as compliance of the order of transfer is concerned and authorities concerned on receipt of the said representation shall consider the same in accordance with the transfer policy governing the field.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge