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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7838 of 2026

Virendra Chauhan S/o Late Jagdish Chauhan Aged About 35 Years R/o Village Barnai Dadar, Post Jagdishpur, Tahsil Pithora, Distt- Mahasamund (C.G.)

... Petitioner

versus

1 - State Of Chhattisgarh Through Secretary, Department Of Forest And Climate Change Mahanadi Bhawan, Mantralaya, Nava Raipur, Distt- Raipur (C.G.)

2 - Principal Chief Conservator Of Forest Aranya Bhawan, Nava Raipur, Distt- Raipur (C.G.)

3 - Chief Conservator Of Forest, Raipur Circle Distt- Raipur (C.G.)

4 - Divisional Forest Officer, Mahasamund Forest Division Mahasamund, Distt- Mahasamund (C.G.)

5 - Sub Divisional Officer (Forest) Pithora, Distt- Mahasamund (C.G.)

6 - Range Forest Officer, Forest Range Pithora, Pithora Distt- Mahasamund (C.G.)

7 - Depot Officer, Timber Depot, Pithora Distt- Mahasamund (C.G.)

... Respondents

(Cause title is taken from Case Information System)

For Petitioner	:	Ms. Chetna Sharma, Advocate
For Respondents/ State	:	Mr. Vivek Verma, Govt. Advocate

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

02/11/2026

1. By the present writ petition, the petitioner seeks quashment of the impugned attachment order dated 21.10.2026 (Annexure P/1), whereby the services of the petitioner has been attached to the office of respondent No.7.

2. Learned counsel appearing for the petitioner submits that the petitioner was appointed as Assistant Grade-III vide order dated 15.03.2022 and has been working with utmost sincerity and dedication. She submits that the petitioner has been working under respondent No. 6 since 19.07.2025. However, vide impugned order dated 21.10.2026 (Annexure P/1), respondent No. 4/ Divisional Forest Officer, Forest Division Mahasamund has attached the petitioner to the office of respondent No. 7/ Timber Depot, Pithora, contrary to the circular dated 04.06.2001 (Annexure P/1) issued by the State Government, whereby a complete ban has been imposed on the attachment of services of Government employees. She, therefore, submits that the impugned order has been passed without issuing any show-cause notice to the petitioner and is, therefore, illegal and unsustainable in law.

3. On the other hand, learned State counsel opposes the submissions made by learned counsel for the petitioner and

submits that certain complaints have been received against the petitioner and, in order to maintain administrative efficiency, the impugned order of attachment has been passed. It is further submitted that the attachment has been ordered on account of administrative exigency and special circumstances by the competent authority. Therefore, there is no illegality or infirmity in the impugned order warranting interference by this Court.

4. I have heard learned counsel for the parties and perused the documents as well as the circular of the State Government.

5. From perusal of the record, this Court finds that although the impugned order appears to have been passed on account of certain alleged negligence on the part of the petitioner, in substance, it is an order of attachment. It is also apparent that the attachment has been ordered on the basis of certain alleged negligence against the petitioner. Though there is a prohibition of passing attachment orders pursuant to the circular dated 04.06.2001 issued by the State Government, if the shifting of the petitioner was necessary on account of any alleged misconduct, the respondent authorities were free to pass an order of transfer or to take appropriate action against the petitioner as may be permissible in accordance with law and the applicable policy of the State Government.

6. This Court finds that the State Government, vide circular dated 04.06.2001, has imposed a complete ban on attachment of the services of Government employees. In view of the said circular, the impugned order, having been passed contrary to the

instructions issued by the State Government, cannot be sustained in law.

7. Accordingly, the impugned order of attachment dated 21.10.2026 (Annexure P/1) is hereby quashed and the writ petition is **allowed**.

8. However, the State shall be at liberty to take appropriate action and pass appropriate order in accordance with law, if any administrative exigency arise in future.

Sd/-
(BIBHU DATTA GURU)
Judge

$. Bhilwar