

(2024) 08 UK CK 0110

In the Uttarakhand High Court

Case No : Writ Petition (S/S) No. 1547 Of 2024

Devendra Prakash

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 23-08-2024

Acts Referred:

Citation : (2024) 08 UK CK 0110

Hon'ble Judges : Pankaj Purohit, J

Bench : Single Bench

Advocate : Sandeep Tiwari, Atul Bahuguna

Final Decision : Dismissed

Judgement

Pankaj Purohit, J

1. Heard learned counsel for the parties.
2. By means of this writ petition, petitioner has challenged the order dated 23.07.2024, annexure-7 to the writ petition, passed by respondent no.3, whereby he has been transferred from Tarai West Forest Division to Tarai Central Forest Division, Rudrapur.
3. Since the petitioner raised a claim on the previous occasion that he cannot be transferred from one Forest Division to another Forest Division as the service of the petitioner is divisional cadre in nature, therefore, the instructions were called from learned State Counsel.
4. Today, learned State Counsel passed on instructions dated 22.08.2024 to this Court, which are taken on record. On instructions, it is submitted by learned State Counsel that the Forest Guard in the Forest Department can be transferred throughout the State and there is no such cadre as suggested by learned counsel for the petitioner.
5. Accordingly, the argument which has been submitted by learned counsel for

the petitioner to challenge the impugned order fails and is hereby rejected.

6. It is further contended by learned counsel for the petitioner that petitioner has joined his service as a Mali on 21.12.2009 and it is only after his promotion on the post of Forest Guard in 2016, he was posted as Forest Guard in field area. At the present place of posting, petitioner has put in more than seven years service, therefore, he should not have been transferred by the respondents.

7. Since the petitioner has put in more than seven years service in the present place of posting, therefore, this Court does not find any reason to interfere in the impugned transfer order. Accordingly, the writ petition fails and is hereby dismissed.