

GAHC010055402026



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1581/2026

DEBABRATA GOGOI
S/O LATE PADMESWAR GOGOI, R/O SADANANDA APARTMENT,
LAKHIMIPATH, BYELANE 2 BELTOLA, GUWAHATI 28, DIST. KAMRUP M,
ASSAM.

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE ADDL. CHIEF SECRETARY TO THE GOVT. OF
ASSAM, ENVIRONMENT AND FORESTS DEPTT., DISPUR, GUWAHATI 06

2:THE JOINT SECRETARY TO THE GOVT OF ASSAM
ENVIRONMENT AND FORESTS DEPARTMENT
DISPUR
GUWAHATI-06

3:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF
FOREST FORCE
ASSAM
PANJABARI
GUWAHATI- 3

Advocate for the Petitioner : MR. J I BORBHUIYA, A B T HAQUE,MR. N ALI,MR A HOSSAIN

Advocate for the Respondent : SC, FOREST,

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

18.03.2026

Heard Mr. J.I. Borbhuiya, learned counsel for the petitioner. Also heard Mr. R.R. Gogoi, learned Standing Counsel, Forest Department.

2. The petitioner is aggrieved by the impugned transfer order dated 13.03.2026 issued by the Joint Secretary to the Government of Assam, Environment, Forest & Climate Change Department. In the list of 66 officers, the petitioner's name appeared at Serial No.64 and has been transferred from Jonai Range, Dhemaji to Gogamukh SF Range, Lakhimpur. The grievance of the petitioner is that he has been posted there and had completed only 14 months and will superannuate in September, 2027.

3. The learned counsel for the petitioner submits that by the Office Memorandum dated 06.08.2013 any officers who has not completed more than two years ought not to be transferred out, unless there is an approval taken from the appropriate Office of the Government. He submits that to the best of his knowledge, approvals have not been taken before issuing the impugned transfer order. Accordingly, the present writ petition has been filed.

4. On the last date i.e. 17.03.2026 the learned Standing Counsel, Forest Department was permitted to obtain instructions. Today he placed the written instructions before the Court that due to promotion of 139 (one hundred thirty nine) Forest Rangers and 44 (forty four) newly recruited Forest Rangers have

been transferred and posted in order to accommodate these officers and ensure smooth functioning of the Department, a comprehensive reshuffling of the existing postings are undertaken.

5. The communication does not reflect whether the approval as required has been obtained from the appropriate authority in the Government. Accordingly, let the respondent counsel to produce the relevant records to show that the transfer has been done in terms of the Office Memorandum by following the guidelines of the Office Memorandum dated 06.08.2013.

6. List this matter again on 25.03.2026.

7. Till the next date fixed, no coercive action shall be taken against the petitioner in terms of the transfer order dated 13.03.2026.

JUDGE

Comparing Assistant