

GAHC010128752020



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

Case No. : WP(C) 3706/2020

1:DHIRENDRA NATH BASUMATARY
S/O- LATE TANKESWAR BASUMATARY, R/O- GWJWNPURI, KOKRAJHAR,
P.O., P.S. AND DIST.- KOKRAJHAR, ASSAM.

VERSUS

1:THE STATE OF ASSAM AND 9 ORS.
REP. BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM,
ENVIRONMENT AND FORESTS DEPTT., DISPUR, GUWAHATI-6.

2:THE SECRETARY TO THE GOVT. OF ASSAM
ENVIRONMENT AND FOREST DEPTT.
DISPUR
GUWAHATI-6.

3:THE BODOLAND TERRITORIAL AUTONOMOUS COUNCIL
REP. BY THE SECRETARY
B.T.C.
ASSAM.

4:THE SECRETARY
BODOLAND AUTONOMOUS COUNCIL
KOKRAJHAR.

5:THE JOINT SECRETARY
BODOLAND AUTONOMOUS COUNCIL
KOKRAJHAR.

6:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND HEAD OF
FOREST FORCE
ASSAM
PANJABARI
GUWAHATI-6.

7:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
WILD LIFE AND CHIEF WILD LIFE WARDEN
ASSAM
PANJABARI
GUWAHATI-37.

8:THE ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND
CHD.
FORESTS
B.T.C.
KOKRAJHAR.

9:THE DIVISIONAL FOREST OFFICER
DHANSIRI FOREST DIVISION
UDALGURI.

10:NETRA KAMAL DEKA
F.R. ATTACHED TO SILCHAR SF DIVISION
SILCHAR
CACHAR

Advocate for the Petitioner : MR. J I BORBHUIYA

Advocate for the Respondent : SC, FOREST

**BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA**

ORDER

Date : 29-09-2020

Heard Mr. J.I. Borbhuiya, learned counsel for the petitioner. Also heard Mr. P.N. Goswami, learned counsel for the Forest Department for the Government of Assam and Ms. R.B. Bora, learned counsel for the authorities under the BTC.

2. Issue notice, returnable on 09.10.2020 as prayed.
3. Extra copies to the learned counsel within 3 (three) days.

4. Steps on respondents no. 10 by registered post as well as speed post within 3 (three) days.
5. The petitioner on being transferred joined as a Ranger at Gaurang Range, Bishmuri under Haltugaon Division, Kokrajhar as per the joining report dated 07.03.2020. By the order dated 11.08.2020, he was transferred from Gaurang to Nunoi Range under Dhansiri Division. The petitioner accordingly, joined at Nunoi Range as per the joining report dated 19.08.2020. On 11.08.2020, by another order of the Secretary to the Government of Assam in the Environment and Forest Department the petitioner was transferred as Forest Ranger attached to the Working Plan Office of Upper Assam Circle, by describing him to be a Forest Ranger in the Gaurang Range, Haltugaon Division.
6. Being aggrieved, the present petition is instituted by the petitioner.
7. Considering the aspect that there were two simultaneous orders of transferring the petitioner and the petitioner have already joined pursuant to the order dated 11.08.2020 of the Secretary, Bodoland Territorial Council, Kokrajhar, the other order dated 11.08.2020 of the Secretary to the Government of Assam in the Environment and Forest Department transferring the petitioner as forest ranger attached to the Working Plan Office of Upper Assam Circle shall remain stayed. In the meantime, the respondents may file their affidavit-in-opposition for further consideration of the matter.
8. All the other consequential orders pursuant to the order dated 11.08.2020 of the Secretary to the Government of Assam in the Environment and Forest Department shall also remain stayed.

List on 09.10.2020.

JUDGE

Comparing Assistant