

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP (C) No. 143 of 2022

Bholanath Behera

....

Petitioner

Mr. S.K. Dash, Advocate

-Versus -

State of Odisha and Ors.

....

Opp. Parties

*Mr. S.N. Nayak,
Addl. Standing Counsel for the State*

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

05.01.2022

Order No.
01

This matter is taken up through hybrid mode.

2. Heard Mr. S.K. Dash, learned counsel for the petitioner and Mr. S.N. Nayak, learned Addl. Standing Counsel for the State.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to allow the petitioner to hold the post of the President of the Havildar & Constable Branch Association, Government Railway Police, Cuttack till completion of his tenure, i.e., two years from 23.02.2021.

4. Learned counsel for the petitioner contends that highlighting the grievances, the petitioner has made a representation to opposite party no.5 vide Annexure-8, to allow him to continue as President of the aforesaid association, which is now pending before opposite party no.3 on being recommended by opposite party no.5. Therefore, the

same may be directed to be considered by opposite party no.3 within a stipulated time, keeping in view the bye-law at Annexure-2, since order of transfer of the petitioner was recalled due to interference of this Court in WP(C) No. 27997 of 2021, which was disposed of on 11.11.2021. To such submission, learned counsel for the State has no objection.

5. As agreed to by learned counsel for the parties, this Court disposes of the writ petition directing opposite party no.3 to consider the representation filed by the petitioner vide Annexure-8 and pass appropriate order in accordance with law, keeping in view the bye-law of the aforesaid association at Annexure-2 and the fact that the order of transfer of the petitioner was recalled due to interference of this Court in WP(C) No. 27997 of 2021, within a period of six weeks from the date of production of certified copy this order.

Issue urgent certified copy as per rules.

(Dr. B.R. Sarangi)
Judge

Ashok