

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2568 of 2022

Harish Chandra Nilapu @ Nilapu* *Petitioner
Harischandra

Mr.S.K.Dash, Advocate

-versus-

State of Odisha and others* *Opposite Parties
Mr. S.Jena,
Standing Counsel S. & M.E.

CORAM:
JUSTICE A.K. MOHAPATRA

ORDER
07.02.2022

Order No.

01. 1. This matter is taken up through Hybrid arrangement (virtual/physical mode).
2. Heard learned counsel for the parties.
3. Challenging the order dated 10th January, 2022 transferring the Petitioner from Parlakhemundi Block to Mohana Block, the Petitioner has approached this Court by filing the present writ application.
4. Learned counsel for the Petitioner submits that the transfer order is illegal, arbitrary and discriminatory.
5. Mr.Jena, learned Standing Counsel for School & Mass Education department submits that in view of the Government Circular dated 04.10.2018 under Clause-5, there is a provision of appeal, the Petitioner should approach the appellate authority i.e., the

Director, Elementary Education.

6. In such view of the matter, the writ application is disposed of with a direction to the Petitioner to file an appeal within a period of one week from today before the Director, Elementary Education, Odisha, Opposite Party No.2 stating therein to consider his grievance. In the event such an appeal is filed within the aforesaid period, the same shall be considered and disposed of by a reasoned and speaking order within a period of two weeks. The decision so taken on the representation of the Petitioner shall be communicated to the Petitioner within a period of one week thereafter.

7. It is open for the Petitioner to file an interim application before the appellate authority for grant of interim order. As an interim, if the Petitioner has not been relieved in the meantime, he shall not be relieved till the appellate authority takes a decision in the interim application filed by the Petitioner.

8. With the aforesaid observation, the writ application stands disposed of.

9. Issue urgent certified copy.

(A.K. Mohapatra)
Judge