

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.3876 of 2022

Sabita Kishan

....

Petitioner

Mr. Gyana Ranjan Sethi, Adv.

-versus-

State of Odisha and Ors.

....

Opposite Parties

Mr. Biswajit Mohanty, ASC

CORAM:

MR. JUSTICE S.K. PANIGRAHI

ORDER

15.03.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the petitioner and learned Standing Counsel for the Department of School and Mass Education.
3. Learned counsel for the petitioner submits that the petitioner had sought for transfer as per the Guidelines under Annexure-1 issued on 04.10.2018 by the Government of Odisha, Department of School and Mass Education. The transfer was sought on the ground of personal difficulty. Learned counsel for the petitioner also brings to the notice of the Court to the revised Guidelines dated 20.07.2021 under Annexure-2, wherein it has been mentioned that Teachers and Headmasters had to submit online application through transfer portal and the last date was fixed for that purpose was 31.07.2021. Further the petitioner applied for transfer on 11.07.2021 and on 01.12.2021, the transfer order was issued by the opposite party no.4- District Education Officer, Sundargarh reflecting the names of the teachers transferred on the basis of their representation. The petitioner found conspicuously that her name was missing from the said order. Furthermore, on 29.11.2021 the District Level Transfer Committee was held under

the Chairmanship of the Collector, Sundargarh and again the name of the present petitioner was missing from the order/list. It is also submitted that the petitioner had filed an appeal before the opposite party no.2- Director, Elementary Education, Odisha, Bhubaneswar on 20.12.2021, which is still pending. Hence, this writ petition.

4. As the appeal filed before the opposite party no.2- Director, Elementary Education, Odisha, Bhubaneswar by the petitioner is pending since 20.12.2021 and no steps have been taken for the same, it is imperative that the appeal should be disposed of within short period. Most of the time, this Court observes that the appeals are kept pending for month together which is not at all a sign of good governance. The authorities should be extra careful while disposing of the appeal within a specified time and they should also create a mechanism for disposal of the appeal within a specified time.

5. In such view of the matter, the opposite party No.2- Director, Elementary Education, Odisha, Bhubaneswar is directed to dispose of the appeal filed by the petitioner within a period of one month from the date of production/ communication of this order.

6. Accordingly, this writ petition stands disposed of.

7. Urgent certified copy of this order be granted on proper application.

(S.K. Panigrahi)
Judge

BJ