

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8404 of 2022

Sudarsan Rout

....

Petitioner

Mr Manmaya Kumar Dash, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P.C.Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

04.04.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel For the State.
3. The present writ application has been filed by the Petitioner challenging the transfer order dated 29.03.2022 passed by Opposite Party No.2. In the impugned order dated 29.03.2022, the Petitioner has been transferred from Sub-Collector's Office, Bhawanipatna to Tahasil Office, Th.Rampur. The distance between two places is stated to be 77 K.Ms.
4. It is submitted by the learned counsel for the Petitioner that the daughter of the Petitioner is appearing at Class 10th Board Examination which is going to commence from 25th April, 2022. On that ground he seeks accommodation for few months considering the career of his daughter. In the event the Petitioner is transferred at this

juncture, the career of the daughter of the Petitioner will be affected seriously. It is further submitted by the learned counsel for the Petitioner that the wife of the Petitioner is also not well and suffering from gynecic problem. It is also submitted by the learned counsel for the Petitioner that somebody must be there to accompany his daughter to the Examination Centre for Board examination. It is also submitted by the learned counsel for the Petitioner that highlighting his grievance and problem he has submitted a representation before the Collector, Kalahandi, Opposite Party No.2 under Annexure-5 on 30.03.2022, which is pending before the Opposite Party no.2.

5. Learned Additional Standing counsel submits that he has no objection if a direction is given to Opposite Party No.2 to consider his case in the light of the problem faced by the Petitioner within a stipulated period of time and in accordance with law.

6. Considering the aforesaid submission and the limited nature of grievance, the present writ application is disposed of at the stage of admission with a direction to Opposite Party No.2 to consider and dispose of the representation of the Petitioner dated 30.03.2022 under Annexure-5 within a period of six weeks from the date of production of certified copy of this order. It is open for the Petitioner to file any other document/judgment in support of his prayer before the Opposite Party No.2 along with certified copy of this order. The Opposite Party No.2 shall do well to consider the representation of the Petitioner in accordance with law and keeping in view the difficulties faced by the Petitioner and his family and shall dispose of the same taking into consideration the judgment relied upon by the Petitioner and by passing a reasoned and speaking order. It is further directed that the order of transfer shall not be given effect to for a period of eight weeks.

7. With the aforesaid observation, the writ application stands disposed of.
8. Issue urgent certified copy as per Rules.

RKS

(A.K. Mohapatra)
Judge

