

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.9178 of 2022

Sukanti Sahoo

....

Petitioner

Mr. Kali Prasanna Mishra, Adv.

-versus-

State of Odisha and Ors.

....

Opposite Parties

Mr. Biswajit Mohanty, SC
(for S & ME Deptt.)

CORAM:

MR. JUSTICE S.K. PANIGRAHI

ORDER

26.04.2022

Order No.

01.

1. This matter is taken up through hybrid arrangement.
2. Heard.
3. The petitioner is serving as an Assistant Teacher (Jr. S.E.S.) in Government High School, Kapilprasad, Bhubaneswar. He was promoted to the post of Headmaster and transferred to Jamujhiri U.P.S., Kandhamal, Phulbani vide order dated 03.08.2021 issued by the Director, Secondary Education, Odisha, Bhubaneswar .
4. Learned counsel for the petitioner submits that the petitioner has some health issues including chronic Diabetic, Blood Pressure, Gastric, Cervical Spondylosis. Therefore, she requested the authority not to effect the transfer order. He further submits that because of the aforesaid ailments, the petitioner wrote an application to the Headmaster, Government High School, Kapilprasad, Bhubaneswar stating that she did not want to take promotion as Headmaster and get transfer to Jamujhiri U.P.S., Kandhamal, Phulbani since the climatic condition of Phulbani is not suitable for her. Later, she turned around and approached the authority stating that some similarly placed persons, of course not forgone candidates, had been allowed to get promotion. Learned

counsel for the petitioner further submits that the petitioner has filed a representation before the opposite party No.2-Director of Secondary Education, Odisha, Bhubaneswar ventilating her grievance. However, there is no seal or proof of dispatch of the representation.

5. In such view of the matter, the opposite party No.2-Director of Secondary Education, Odisha, Bhubaneswar is directed to verify whether any representation has really been presented before him/her and, if presented, dispose of the same by passing a reasoned order within a period of three months from the date of production/presentation of a certified copy of this order along with a copy of this writ petition. It is also directed that if no representation has been filed, the opposite party No.2-Director of Secondary Education, Odisha, Bhubaneswar is at liberty to ask for fresh representation.

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