

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11773 of 2022

Bijay Kumar Rout

....

Petitioner

Mr.Ashok Pattanaik, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.Y.S.P.Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.05.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Additional Government Advocate.
3. The present writ application has been filed challenging the order of transfer passed by the Opposite Party No.3 dated 05.05.2022 under Annexure-4 wherein the Petitioner has been transferred from District Jail, Dhenkanal to Sub-Jail, Pallahara on administrative ground. It is submitted by the learned counsel for the Petitioner that the Petitioner has to look after his old ailing parents. Further, it is submitted by the learned counsel for the Petitioner that the Petitioner was transferred to Dhenkanal only 11 months back. On such ground the Petitioner submits that the transfer is harsh on the petitioner.
4. Learned Additional Government Advocate on the other hand submits that the transfer is a condition of service and the Petitioner has no right to opt for his transfer. Further, he submits that in the event the Petitioner has any grievance he may approach the

departmental authority.

5. Considering the aforesaid submissions and keeping in view the fact that the Petitioner has some grievance with regard to ailment of his old parents, he is directed to file a detailed representation before the Senior Superintendent, Circle Jail,, Cuttack, Opposite Party No.3 within a period of two weeks from today along with certified copy of this order. In the event such representation is filed, the same shall be considered in accordance with law and shall be disposed of by passing a speaking and reasoned order within a period three weeks. The decision so taken on the representation of the petitioner shall be communicated to the Petitioner within 10 days thereafter.

6. It is further directed that till a decision is taken on the representation of the Petitioner, as directed herein above, the order under Annexure-4 shall not be given effect to.

7. With the aforesaid observation the writ application stands disposed of.

8. Issue urgent certified copy of tis order as per Rules.

RKS

