

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13770 of 2022

Ratnakar Tripathy

....

Petitioner

-versus-

CEO, TPSODL, Ganjam & Ors.

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

05.09.2022

Order No

02. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. A.P. Bose, learned counsel for the Petitioner and Mr. P.K. Mohanty, learned Sr. Counsel appearing for the Opp. Parties.

3. Even though the present writ Petition has been filed challenging the order of transfer initially issued on 07.05.2022 under Annexure-1 and the rejection of his representation vide communication dtd.24.05.2022 under Annexure-5, Mr. Bose during course of argument submitted that the Petitioner be permitted to approach the O.P. No. 1 with a prayer to give him a posting in any nearby Division save and except Bhanjanagar Division. Mr. Bose also brought to the notice of this Court the communication issued by the O.P. No. 2 on 19.08.2022, wherein he has been directed to join in his new place of posting i.e. Kotpad Section under J.E.D., Jeypore immediately, failing which action shall be taken against him.

4. Mr. Mohanty, learned Sr. Counsel submitted that if any such application will be filed by the Petitioner before O.P. No. 1 within a period of seven (7) days from today, the said Authority shall

reconsider the matter taking into account the fact that the Petitioner's wife is continuing at Bhanjanagar as a Primary School Teacher.

5. In view of such stand taken by the learned counsel appearing for the Parties, this Court while disposing the writ Petition, permits the Petitioner to approach O.P. No. 1 with a prayer to give him a posting in any nearby Division save and except Bhanjanagar Division. This Court hope and trust that a favourable decision will be taken on such request of the Petitioner. Till such a decision is taken, no coercive action shall be taken against the Petitioner.

6. The writ Petition is disposed of with the aforesaid observation and directions.

(Biraja Prasanna Satapathy)
Judge

Sneha

