

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14997 OF 2022

Hitesh Kumar Jena

..... *Petitioner*
Mr. M.K.Mohanty, Adv.

-versus-

State of Odisha & Ors.

..... *Opposite Parties*
Mr. S.S.Pradhan, AGA

CORAM:
JUSTICE V. NARASINGH

ORDER
20.06.2022

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner who is working as Gram Rozgar Sevak(GRS) has filed the present writ petition for quashing the order of transfer dated 10.05.2022 at Annexure-6.
4. The name of the petitioner appears at serial No.4 of the said annexure by which the petitioner has been transferred from Chakalapadar Gram Panchayat to Bhalukonadi Gram Panchayat.
5. It is submitted by the learned counsel for the petitioner that ex-facie the B.D.O. has no jurisdiction to direct for transfer of GRS which is against the schematic arrangement of the MGNREGS scheme and taking note the same this Court in the case of **Manas Kumar Swain v. State of Odisha**, (2020) I ILR

CUT 357 has settled the law that the B.D.O./Collector has no authority.

6. It is submitted at the bar, that this Court has already stayed the order of similar transfer passed by the authority in W.A. No.402 of 2017 and the same is pending adjudication.

7. Taking note of the submission of the learned counsel for the parties, since ex-facie the authority has no competency to pass the impugned order, the order of transfer so far as it relates to the petitioner under Annexure-6 is hereby quashed subject to the outcome of W.A. No. 402 of 2017. The same be reflected in the modified order to be passed in respect of the petitioner.

8. The writ petition accordingly stands disposed of.

9. Urgent certified copy of this order be granted as per rules.

(V.Narasingh)
Judge