

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15322 of 2022

Bilash Panda

.... ***Petitioner***
Mr. A.K. Das, Advocate

-versus-

Union of India and others

.... ***Opposite Parties***
Mr. P.K. Parhi, ASGI along with
Mr. P.K. Padhi, CGC.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.06.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner as well as learned counsel for the State. Perused the record.
3. The present writ petition has been filed by the petitioner with the following prayers:

“Under these facts and circumstances, it is respectfully prayed that the Hon’ble Court may graciously be pleased to issue a rule Nisi calling upon the Opp. Parties to show cause as to why writ in the nature of certiorari/mandamus shall not be issued, directing the Opp.Parties to extend the term of posting of the petitioner for one at G.C. Bhubaneswar by quashing annexure-1 to the extend of the petitioner for ends of justice. If the opposite parties failed to show cause or show insufficient case, the rule may be made absolute. AND;

Further be pleased to pass any other order/orders as deemed fit and proper.”

4. Learned counsel for the petitioner submits that under Annexure-1, the petitioner along with four other persons were given promotion to the post of ASI, however, four others except the petitioner retain at Bhubaneswar and the petitioner, who is a lady, transferred to West Bengal. He further submits that ninety years old ailing mother along with her minor daughter, who is prosecuting her study are also residing with her and the mother, who is in death bed, how long she will survive. On such grounds, the case of the petitioner may be considered at least one year for which she can take care of her ailing mother, who is last stage of life.

5. Learned counsel for the petitioner further submits that although the petitioner has filed representation dated 16.06.2022 under Annexure-3 before the Director General, CRPF, New Delhi- Opposite Party No.2, the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

6. As per instruction, learned counsel for the Union of India submits that there is no post of A.S.I. G.D.(Mahila) available at Bhubaneswar G.C.

7. Considering the submissions made by the respective parties, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Director General, CRPF, New Delhi- Opposite Party No.2 to consider the representation of the petitioner dated 16.06.2022 under Annexure-3 in accordance with law within a period of four weeks from the date of production of certified copy of this order. It is needless to mention here that the representation of the petitioner shall be considered and

disposed of by passing a speaking and reasoned order. Any decision so taken on the said representations shall be communicated to the petitioner within a period of two weeks thereafter.

8. Further, it is directed that till a decision is taken on the representation of the petitioner, the transfer order dated 28.05.2022 under Annexure-1 shall not be given effect to.

9. With the aforesaid observation/direction, the writ petition is disposed of.

Urgent certified copy of this order be granted on proper application.

Jagabandhu

