

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 18969 of 2022

Kamala Sahu

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

02.08.2022

Order No

02.

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

2. Heard Mr. Sethi, learned counsel for the Petitioner and Mr. Choudury, learned AGA appearing for the Opp. Parties.

3. The Petitioner has filed the present writ Petition with the following prayer:-

“It is therefore humbly prayed that this Hon’ble Court may graciously be pleased to admit the case, call for the records and after hearing both the Parties pass the following reliefs:-

i. *To quash the rejection order dtd.13.07.2022 under Annexure-6.*

ii. *To quash the order dtd.28.4.2022 under Annexure-1 in so far as it relates to posting of Petitioner to SDH Pallahara in the district of Angul.*

iii. *To direct the Opposite Parties to consider the case of Petitioner for posting of petitioner against in any of the vacancy in Bhdarak district.*

And pass such other order(s)/direction(s) as may be deemed fit and proper for the interest of justice.

And for this act of kindness, the petitioner as in duty bound shall ever pray.”

4. It is submitted that even though the Petitioner in terms of order of transfer passed on 28.04.2022 under Annexure-1 is ready to join the place of transfer, but the Petitioner be given a liberty to approach the Authority seeking for transfer to some other place because of some personal exigency.

5. In view of such submission made by Mr. Sethi, this writ Petition is disposed of with the observation that if the Petitioner joins in her place of transfer in terms of the order under Annexure-1 within a period of seven (7) days from today, she will be permitted to make an application to O.P. No. 2 seeking her transfer to some other place, where vacancies are available and indicated at Paragraph 9 of the writ Petition. It is observed that if any such application is filed after her joining in her place of transfer, O.P. No. 2 shall take a decision on the same taking into account the claim of the Petitioner that vacancies are there at CHC, Agarpada & CHC, Bhandari Pokhari.

6. The said exercise shall be completed within a period of two (2) months from the date of receipt of the representation, if any. It is observed that this Court has expressed no opinion on the merit of her claim.

(Biraja Prasanna Satapathy)
Judge

Sneha