

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC No. 21819 of 2019

Sankar Mallick and another ***Petitioners***

Mr. A.K. Apat, Advocate

-Versus -

State of Odisha & others ***Opposite Parties***

Addl. Government Advocate

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

15.02.2022

Order No.

07

1. This matter is taken up through hybrid mode.
2. The petitioners, who are working as Gram Rozgar Sevaks (GRS), have filed this writ petition seeking to quash the order of transfer dated 07.11.2019 under Annexure-1 so far as it relates to petitioners.
3. This question has already been considered by this Court in ***Manas Kumar Swain v. State of Odisha***, (2020) I ILR CUT 357 holding that the BDO/Collector has no authority to transfer any GRS from one place to other.
4. It is stated that a Division Bench of this Court has already stayed the order of transfer passed by the authority in W.A. No.402 of 2017.
5. In the above view of the matter, the order of transfer cannot be effected, as the authority has no competence to pass such order. Accordingly, the order of transfer so far it relates to the petitioners under Annexure-1 is hereby quashed.

6. The writ petition is accordingly disposed of.
Issue urgent certified copy as per rules.

(Dr. B.R. Sarangi)
Judge

Arun

