

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26117 of 2022

Sanjay Kumar Deo

.... *Petitioner*

Mr. Niranjana Lenka, Adv.

-versus-

State of Odisha and Ors.

.... *Opposite Parties*

Mr. Biswajit Mohanty, SC

(for S & ME Deptt.)

CORAM:
DR. JUSTICE S.K. PANIGRAHI

ORDER
10.10.2022

Order
No.

01. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. The Petitioner who is serving as a Junior Assistant in the office of the Opposite Party No.4/ Block Education Officer, Suliapada has challenged the order No.24130 dated 27.09.2022 passed by the Opposite Party No.2/ Director, Secondary Education, Odisha, Bhubaneswar which has been passed pursuant to the order dated 20.07.2022 passed by this Court in W.P.(C) No.16379 of 2022 cancelling the earlier order of transfer and posting to the office of the Opposite Party No.4/ Block Education Officer, Suliapada.

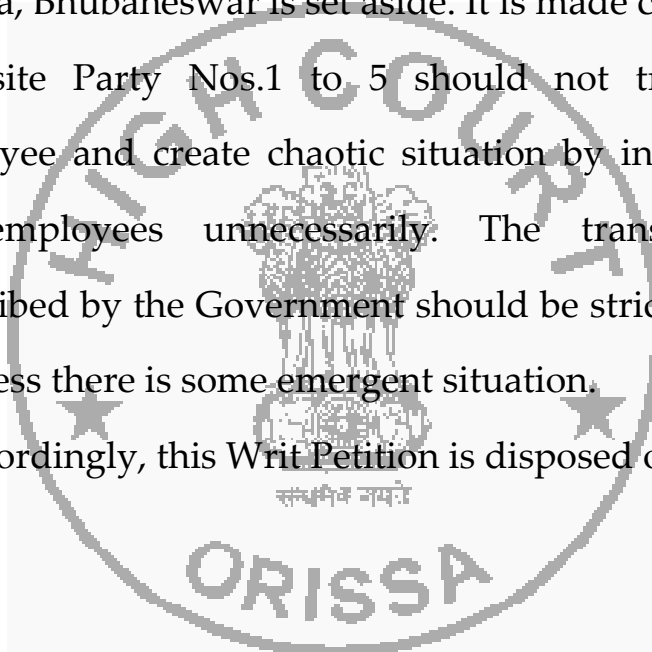
4. Learned counsel for the Petitioner submits that the Opposite Party No.6 was transferred to the office of the Block Education Officer, Baripada from the office of the Block Education Officer, Suliapada where the Petitioner has been transferred. The Opposite Party No.6 being aggrieved by his transfer to the office of the Block Education Officer Baripada had approached this Court vide W.P.(C) No.16379 of 2022. This Court vide order dated 20.07.2022 disposed of the said Writ Petition with a direction to the Opposite Party No.2/ Director, Secondary Education, Odisha, Bhubaneswar to consider the representation of the Opposite Party No.6. However, while considering the representation of the Opposite Party No.6, again the Opposite Party No.2/ Director, Secondary Education, Odisha, Bhubaneswar has passed the order of transfer of the Petitioner to the office of the Opposite Party No.5/ Block Education Officer, Kuliana. He further submits that just after three months of his transfer, again the Petitioner has been transferred to Kuliana Block only to accommodate the Opposite Party No.6 vide order dated 27.09.2022.

5. The order dated 27.09.2022 passed by the Opposite Party No.2/ Director, Secondary Education, Odisha,

Bhubaneswar has unnecessarily been created fiasco. The Petitioner has unnecessarily been disturbed as he was recently transferred to the office of the Block Education Officer, Suliapada.

6. In such view of the matter, this Writ Petition is allowed. The order dated 27.09.2022 passed by the Opposite Party No.2/ Director, Secondary Education, Odisha, Bhubaneswar is set aside. It is made clear that the Opposite Party Nos.1 to 5 should not transfer any employee and create chaotic situation by interchanging the employees unnecessarily. The transfer policy prescribed by the Government should be strictly adhered to unless there is some emergent situation.

7. Accordingly, this Writ Petition is disposed of.



(Dr. S.K. Panigrahi)
Judge

B.Jhankar