

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 29009 of 2022

Abul Pradhan

....

Petitioner

Mr. Trilochan Nanda, Advocate

-versus-

Sate of Odisha and others

....

Opposite Parties

Mr. T.K. Pattnaik, ASC

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

03.11.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard the learned counsel for the Petitioner as well as the learned counsel for the State-Opposite Parties.
3. The present writ petition has been filed by the Petitioner challenging the order of transfer vide Office Order No.13187 dated 20.10.2022 passed by the Opposite Party No.2-Collector & District Magistrate, Bargarh under Annexure-1.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is on the verge of retirement and he is going to retire on 31.12.2023. It is further submitted that the wife of the Petitioner is bed ridden due to prolong diseases since 2014. It is further submitted that previously the Petitioner was transferred on six occasions. Therefore, it is

stated that the impugned order of transfer under Annexure-1 is unsustainable in the eye of law.

5. Learned counsel for the State-Opposite Parties submits that since the Petitioner has filed a representation dated 27.10.2022 before the Opposite Party No.2 under Annexure-3 and the same is pending, he has no objection, if a direction is given to the Opposite Party No.2 to consider and dispose of the representation of the Petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties, this Court dispose of the writ petition with a direction to the Opposite Party Opposite Party No.2-Collector & District Magistrate, Bargarh to consider the representation of the Petitioner dated 27.10.2022 under Annexure-3, if the same is pending, within a period of four weeks from the date of production of certified copy of this order. It is further directed that the Opposite Party No.2 shall do well to pass a speaking and reasoned order on the representation of the Petitioner and intimate the decision thereof to the Petitioner within ten days thereafter. Till a decision is taken, the order under Annexure-1 shall remain stayed for a period of four weeks.

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

(A.K. Mohapatra)
Judge