

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.30000 of 2022**

***Shyamsundar Panda***

.... ***Petitioner***  
*Mr. A.S. Nandy, Advocate*

***-versus-***

***State of Odisha and others***

.... ***Opp. Parties***  
*Mr. P.K. Rout, A.G.A.*

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**15.11.2022**

**Order No.**

**W.P.(C) No.30000 of 2022 and I.A. No.15290 of 2022**

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:
- “The petitioner therefore prays that this Hon’ble Court may pleased to
- Admit the application,
- Call for the records,
- Issue “Rule Nisi” to opposite parties to show cause as to why a writ of certiorari shall not be issued to quash Annexure-8.
- And
- If the Opp.Parties fail to show cause or insufficient cause, the “Rule” be made absolute.
- And
- Issue a writ in the nature of certiorari or any other

appropriate writ/writs/order/orders quashing Annexure-8.

And

Issue a writ of mandamus, commanding the Opp. Parties not to harass the petitioner by adopting the methodology of frequent transfer as will be revealed from Annexure 4&8, keeping in view the chain of circumstances state above,

And

This Hon'ble Court may be pleased to pass any other appropriate order/orders/writ/writs as the Hon'ble Court thinks fit."

4. It is submitted by learned counsel for the petitioner that the petitioner, who is a Class-IV employee under the Opposite Parties, has been transferred frequently one place to another. It is further submitted by learned counsel for the petitioner that recently, the petitioner has also been transferred by order dated 02.11.2022 under Annexure-8 and he has been asked posted to Omfed Diary, Arilo to Keonjhar Diary. Challenging the said order, the present writ petition has been filed. It is also submitted by learned counsel for the petitioner that being aggrieved by the frequent transfer order, the petitioner approached before the Chairman-cum-Managing Director, Bhubaneswar (Opposite Party No.1) by filing a detailed representation on 04.11.2022 under Annexure-9 and the same is pending before the said Opposite Party.

5. Further, it is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 04.11.2022 under Annexure-9 before the Chairman-cum-Managing Director, Bhubaneswar -Opposite Party No.1, the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

6. Considering the submissions made, the limited nature of grievance involved in the present writ petition, keeping in view the urgency of the matter and the fact of the petitioner, this Court disposes

of the writ petition at the stage of admission with a direction to the Chairman-cum-Managing Director, Bhubaneswar -Opposite Party No.1 to consider the representation of the petitioner dated 04.11.2022 under Annexure-9 in accordance with law within a period of four weeks from the date of production of certified copy of this order and pass necessary orders thereon by taking back the petitioner on transfer frequently one place to other place is inconvenience to the petitioner and his family members. 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 representation shall be communicated to the petitioner within a period of two weeks thereafter.

7. Further, it is directed that till a decision is taken on the representation of the petitioner, the order dated 02.11.2022 under Annexure-8 shall not be given effect to.

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

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

**( A.K. Mohapatra )**  
**Judge**