

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C(OA) Nos.454 & 455 of 2017

W.P.(C) (OA) No.454 of 2017

Simanchal Mishra

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
02.09.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Mode.
2. Heard Mr. M.Pratap, learned counsel for the Petitioner and Mr. M.K.Balabantaray, learned Standing Counsel for the State-Opposite Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“(a) The Hon’ble Tribunal graciously be pleased to quash the impugned Transfer Order dtd.31.03.2016 so far the applicant is concerned, which violates statutory and mandatory Rules i.e. the OMS(Method of Recruitment of Posts of Junior Clerks in District Officers) Rules, 1985 and the Odisha Staff Selection Commission Rules, 1993, and to direct the Respondents to allow the applicant in previous place of posting under Rural Works Division, Gajapati all consequential service and financial benefits;

(b) Further be pleased to declare the Resolution dtd.11.12.2015 (Annexure-1) and Resolution dtd.11.02.2016 (Annexure-2) issued by the Govt. in RD Deptt. As void, nonest and nullity due to de hors of the statutory Rules, i.e., the OMS (Method of Recruitment of Posts of Junior Clerks in District Offices) Rules, 1985 and the Odisha Staff Selection commission Rules, 1993”.

4. It is submitted that the issue involved in the Writ Petition has been decided by this Court in its order dated 26.08.2022 passed in WPC(OA) No.695 of 2016 and batch.

5. In view of that, the present Writ Petition is also disposed of in the light of the observation made in the aforesaid WPC(OA) No.695 of 2016 and batch.

6. The photocopy of the order be placed in the connected matters.

(Biraja Prasanna Satapathy)
Judge

Subrat