

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C. (OAC) No.2370 of 2017

Manas Ranjan Mahapatra

....

Petitioners

None

-versus-

State of Odisha and Others

....

Opposite Parties

Mr. R.N. Acharya, Standing Counsel
for School and Mass Education Department

CORAM:

JUSTICE M.S. RAMAN

ORDER

19.09.2022

Order No.

- 06.
1. This matter is taken up through virtual/physical mode.
 2. The Original Application No.2370 of 2017 (C) was filed before the Odisha Administrative Tribunal, Cuttack Bench, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAC) No.2370 of 2017.
 3. The petitioner challenged the order of transfer dated 11.08.2017 vide Annexure-2. Vide order dated 28.08.2017 the learned Administrative Tribunal passed the following order:-

“Heard learned counsel for the applicant and learned standing counsel.

Learned counsel for the applicant submitted that pursuant to the order vide Annexure-1 dated 11.08.2017 the applicant has been deployed to UGHS, Baragaon, which is at a distance of 50 kilometers from the present place of posting. It is submitted that as per the Finance Department letter dated 17.05.2008, the applicant being a contractual employee will not get TA and DA. The applicant will face financial hardship, if the order of deployment is given effect to without getting TA and DA as he is required to attend the school three days in a week.

Learned standing counsel seeks time to take instruction in the matter.

In view of the submission, learned standing counsel, SME is directed to take specific instruction whether the applicant will be entitled to TA & DA for attending the school to which he has been deployed and the distance of the said school from the present place of posting.”

4. Mr. R.N. Acharya, Standing Counsel for School and Mass Education Department submitted that by efflux of time the matter has been rendered infructuous, as the matter involves transfer of the petitioner from Government High School, Manamunda to Upgraded High School, Baragaon.

5. Mr. Acharya referring to Annexure-1 i.e. office order dated 11.08.2017 submitted that transfers have been effected pursuant to delinking of Class-8 from High Schools and periods allocated to Science Teacher (CBZ), Sanskrit Teacher and Hindi Teacher being reduced in Class-9 and Class-10.

6. In view of such submission, the Writ Petition stands dismissed as infructuous.

(M.S. Raman)
Judge

Basudev