

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32828 of 2022

Bhagirathi Patra

....

Petitioner

Mr. S.K. Mishra, Advocate

-versus-

***Life Insurance Corporation of
India and others***

....

Opp. Parties

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.12.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard the learned counsel for the Petitioner. Perused the writ petition and the documents annexed therein.

3. This writ petition has been filed by the Petitioner challenging the order of transfer dated 23.05.2022 passed by the Opposite Party No.1-Senior Divisional Manager, Life Insurance Corporation of India, Cuttack Division, Nuapatna, Cuttack under Annexure-6 whereby he has been transferring from Administrative Officer, Branch Office at Keonjhar to Administrative Officer, Branch Office at Balasore.

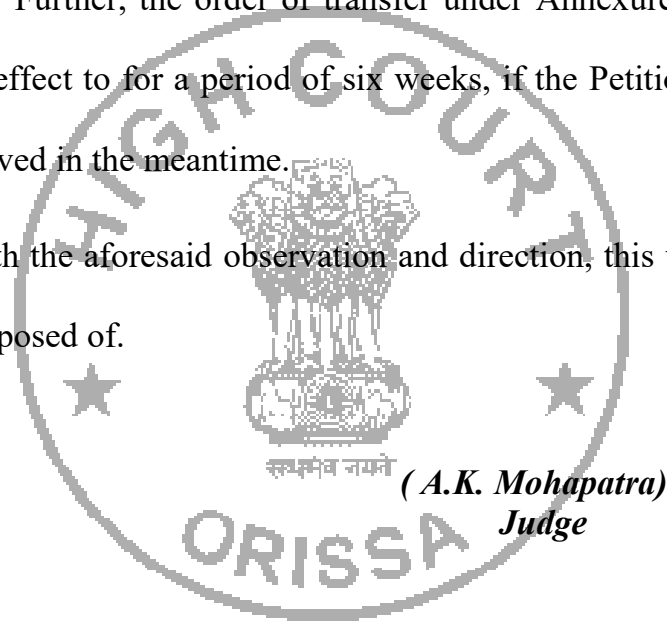
4. It is submitted by Mr. S.K. Mishra, learned counsel for the Petitioner that such transfer is de hors of the transfer policy of the

Corporation. He further submits that the order of transfer under Annexure-6 reflects several names and it appears that Annexure-6 has been issued as a normal transfer of employees of the Corporation. He further submits that many employees whose name finds place in the order Annexure-6 have approached the authority and their cases have been reconsidered and the transfer order in respect of those employees has been withdrawn and they have been allowed to continue in the present place of posting. Further, he submits that the Petitioner had also approached the authority to be reconsidered his case, as he has not completed the transfer tenure provided under the guidelines. He further submits that the Petitioner being transferred to a place which is beyond the area containing in Form-P. He further contends that being aggrieved the inaction of the authority, the Petitioner approached the authority by filing the representation. However, he further submits that the Petitioner before whom he was represented is not the competent authority.

5. Considering the aforesaid submission, this Court directs the Petitioner to approach the competent authority, i.e., Opposite Party No.1 by filing fresh representation within a period of two weeks from today taking all the grounds available him along with certified copy of this order and in the event such representation is filed, the

Opposite Party No.1 shall do well to consider the same in the light of the guidelines of the Corporation and keeping in view the fact that the transfer order in respect of similar placed employees has been recalled by the authority, and shall take a decision on the same within a period of four weeks from the date of filing of such representation by passing a speaking and reasoned order. The decision so taken thereon shall be communicated to the Petitioner within one week thereafter. Further, the order of transfer under Annexure-6 shall not be given effect to for a period of six weeks, if the Petitioner has not been relieved in the meantime.

6. With the aforesaid observation and direction, this writ petition stands disposed of.



Debasis