

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

**W.P.(C) No.34966 of 2022**

***Sri Rusava Meher***

....

***Petitioner***

*Mr. Rajjeet Roy, Advocate*

*-versus-*

***State of Odisha & Others***

....

***Opp. Parties***

*Mr. B.P. Tripathy, AGA*

**CORAM:  
JUSTICE A.K. MOHAPATRA**

**ORDER  
21.12.2022**

**Order No.**

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-Opposite Parties.
3. The present writ petition has been filed by the Petitioner with the following prayers:-
- “It is, therefore, most respectfully prayed that this Hon’ble Court may graciously be pleased to admit this application and issue rule NISI calling upon the Opp. Parties to show cause as to why the impugned order of transfer under Annexure-4 should not be quashed and the Petitioner should not be posted at Jaloi forthwith,*
- And if the Opp. Parties fail to show cause or show insufficient cause, make the said rule absolute by issuing a writ in the nature of certiorarifide mandamus by quashing Annexure-4 and directing the Opp. Parties to post the petitioner at Jaloi forthwith,*
- And further be pleased to pass any other order/orders, direction/ directions as deem fit and proper.”*
4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation before the Opposite Party No.2 under Annexure-7, but the same is still pending before the said

Opposite Party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel for the State submits that he has no objection, if a direction is given to the authority concerned to consider the representation of the Petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties and without expressing any opinion on the merits of the case, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Party No.2 to consider the representation of the Petitioner under Annexure-7 taking into consideration the guideline under Annexures-6 in accordance with law within a period of four weeks from the date of production of certified copy of this order. 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. Further, representation of the Petitioner shall be considered without being influenced of the fact that the Petitioner has joined in a new place of posting and joining of the Petitioner in new place of posting shall be construed without prejudice his right involved in the present writ petition. Any decision so taken on the said representation shall be communicated to the Petitioner within a period of two weeks thereafter.

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

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