IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.37626 of 2026

(CNR No. ODHC010886042026)

Himansu Bag …. **Petitioner**

Mr. Sangram Jena, Advocate

-Versus-

State of Odisha & others …. **Opposite Parties**

Mr. Subha Bikash Panda, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
11.11.2026

Order No.

01. 1. Heard Mr. Jena, learned counsel for the petitioner and Mr. Panda, learned AGA for the State.

2. Instant writ petition is filed by the petitioner challenging the transfer order vide Government Notification dated 5th November, 2026 of opposite party No.1 under Annexure-3 in so far as it relates to him and to declare the same as illegal and to further direct the said Authority to allow him to continue in the present place of posting i.e. BEO, Laikera in the district of Jharsuguda keeping in view of the Government Resolution dated 18th September, 2025 at Annexure-2 and on such other grounds stated.

3. Mr. Jena, learned counsel submits that the petitioner received promotion to the rank of O.E.S. (S.B.) Group-B by the Government Notification dated 28th April, 2025 and he joined on 1st May, 2025 but has been transferred vide Annexure-3 as BEO, Krushnaprasad, Puri with additional charge of BEO,

Brahamagiri, Puri. The submission of Mr. Jena, learned counsel is that the petitioner has been transferred however the same is not in conformity with Government Resolution at Annexure-2. It is contended that clause 1, 3 and 8 of the said Resolution have not been complied with while transferring the petitioner, who joined at Laikera and is there as BEO only for one and half years. It is submitted that despite representation as at Annexure-4 dated 7th November, 2026 by the petitioner opposing such transfer in violation of the Resolution i.e. Annexure-2, it has not yielded any result, hence, the challenge.

4. Recorded the submission of Mr. Panda, learned AGA for the State.

5. In course of hearing, Mr. Jena, learned counsel informs the Court that the son of the petitioner is pursuing in Class-X and the Board examination is to be held in the month of February, 2027, hence, any such transfer vide Annexure-3 is to subject him to immense inconvenience and difficulty. It is also informed that the petitioner's wife is continuing as Senior Headmistress at Jharsuguda which is in the same district, hence, the decision on transfer needs a revisit.

6. Referring to the Resolution dated 18th September, 2025, the transfer of the petitioner is challenged. As per the said resolution and in terms of clause 1 thereof, transfer shall have to be made between 15th April to 15th June subject to any changes by the GA & PG Department, Government of Odisha. The submission of Mr. Jena, learned counsel is that beyond the

period prescribed, a transfer may take place, however, it shall be on administrative exigencies as per clause 1 (supra) itself. This Court finds that any such officers/employees including the State cadre upon being posted at a particular station shall have to complete a minimum tenure of three years before being eligible for transfer in terms of clause 3 of the Resolution, which has not been adhered to in the case of the petitioner. Similarly, clause 8 of the said Resolution reveals that keeping in view the administrative feasibility and necessity, husband and wife where both are Government employees may be posted at the same/near station of the district, which according to Mr. Jena, learned counsel has been violated. Considering the submissions as above and response of the State and since the petitioner has approached the Authority concerned by a representation dated 7th November, 2026 at Annexure-4, this Court is inclined to direct opposite party No.1 to consider such grievance on its own merit keeping in view the Government Resolution at Annexure-2 and to pass appropriate order and the plea raised and to take a decision finally followed by an order at the earliest preferably within a period of eight weeks from the date of receipt of a copy of this order and accordingly, it is directed.

7. In the result, the writ petition stands disposed of with the direction as aforesaid. It is further directed that the transfer order as at Annexure-3 shall be kept in abeyance in so far as it relates to the petitioner till a decision is reached at on the

representation i.e. Annexure-4 complying the directions hereinabove.

8. Issue urgent certified copy of this order as per rules and in course of the day.

(R.K. Pattanaik)
Judge

Tudu

Signature Not Verified
Digitally Signed
Signed by: THAKURDAS TUDU
Designation: Sr. Stenographer
Reason: Authentication
Location: OHC,CTC
Date: 11-Nov-2026 19:36:15