



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13630 of 2026

Hitesh Kumar Sethy

....

Petitioner

Mr. Trilochan Barik, Advocate

-versus-

State of Odisha & Others

....

Opp. Parties

Mr. Surya Kanta Parhi, ASC

CORAM:

HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

Order
No.

ORDER
04.05.2026

- 01.
1. This matter is taken up through Hybrid mode.
 2. Heard learned counsel for the Petitioner as well as for the State. Perused on writ application as well as the prayer made there.
 3. The Petitioner has filed the present writ application with the following prayer:

"Under the above facts and circumstances, it is therefore prayed that for the interest of justice this Hon'ble Court would be graciously pleased to issue a necessary direction(s) to the Opp. Parties especially the O.P.No.4, DEO, Kandhamal to issue transfer & relieve order to the petitioner in order to allow joining in the allocated School namely Adasipada Government UP School under Khajuripada Block on the basis of online intra district transfer from Biragada primary school under Tumudibandha Block and for directing O.P.No.4 to implement Annexure-4 order allowing the petitioner to join against allocated School namely



Adasipada government UP School under O.P.No.6, Khajuripada Block in consonance with the Government Guidelines as under Annexures-2 to 5 series.

And any other relief(s) which your Lordship deem just and proper;

And for which act of kindness the petitioner as in duty bound shall ever pray.”

4. Learned counsel for the Petitioner at the outset contended that being aggrieved by the inaction of the Opposite Parties in not publishing the transfer list by following the guideline of the Government at Annexure-2 vide notification dated 14.05.2025, the Petitioner has approached this Court by filing the present writ application. In course of his argument, learned counsel for the Petitioner contended that in respect of other district, the transfer list has already been published vide order dated 27.03.2026 at Annexure-6 in respect of Boudh district. He further contended that although the Petitioner approached the Opposite Party No.4 by filing a detailed representation dated 23.04.2026, the same has not been duly considered by the Opposite Parties. Being aggrieved by such inaction of Opposite Parties in carrying out the transfer in terms of the guidelines at Annexure-2 to the writ application, the Petitioner was compelled to approach this Court by filing the present writ application.

5. Learned counsel for the State, on the other hand, contended that although he has no specific instruction, however, considering the limited nature of the grievance involved in the present writ application and further keeping in view of the fact that the Petitioner has already approached the Competent Authority for redressal of his grievance and in the event such representations is pending before the Authority, he will have no objection, if this Court directs to the Opposite



Party to consider the case of the Petitioner in accordance with law and in terms of the guidelines at Annexure-2.

6. Having heard the learned counsels appearing for the respective parties, on a careful examination of the background facts, further taking note of the guideline for transfer at Annexure-2 to the writ application and keeping in view the limited nature of the grievance involved in the present writ application, this Court deems it proper to dispose of the writ petition at the stage of admission by granting liberty to the Petitioner to approach the Opposite Party No.4 afresh by filing a detailed representation taking therein all the grounds along with supporting documents within ten days from today. In such eventually, the Opposite Party No.4 shall do well to consider such representation and dispose of the same keeping in view the guideline of the Government at Annexure-2 vide notification dated 14.05.2025 within a period of four weeks from the date of communication of a certified copy of this order by the Petitioner by passing a speaking and reasoned order. While considering the representation of the Petitioner, the Opposite Party No.3 shall do well to take into consideration the documents at Annexures-3 & 4 to the writ application. The final decision so taken by the Opposite Party No.4 be also communicated to the Petitioner within ten days from the date of taking such a decision.

(Aditya Kumar Mohapatra)
Judge

Sashikant

Signature Not Verified

Digitally Signed
Signed by: SASHIKANT PARIDA
Reason: Authentication
Location: OHC
Date: 07-May-2026 10:56:05

