



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20037 of 2025

Ramesh Chandra Naik

....

Petitioner

Mr. K.K. Swain, Advocate

-versus-

State of Odisha and Ors.

....

Opposite Parties

Mr. A. Tripathy, AGA

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

21.07.2025

Order No.

02.

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

2. Heard learned counsel appearing for the parties.

3. The present Writ Petition has been filed inter alia challenging order of transfer passed by Opp. Party No.5 vide order dt.11.07.2025 under Annexure-4. Vide the said order, Petitioner has been put under transfer from Government Upgraded High School Samarabandha to Bajrakote Upper Primary School.

4. It is the main contention of the Petitioner that Petitioner being a Level-V Asst. Teacher (Ex-cadre) is not coming within the zone of transfer in terms of the notification issued by the Government on 14.05.2025 under Annexure-5. It is contended that only regular



elementary cadre teachers can be put under transfer within the district and Petitioner being an Ex-cadre teacher, he cannot be put under transfer. It is accordingly contended that since without following the guideline issued by the Government in its notification dt.14.05.2025 vide para-3 of Annexure-5, Petitioner has been put under transfer, the same is not sustainable in the eye of law. It is also contended that after being relieved vide order dt.11.07.2025, Petitioner is continuing on leave and he has not joined in his place of transfer.

5. Learned Addl. Govt. Advocate on the other hand contended that in terms of notification dt.14.05.2025 under Annexure-5, Director, Elementary Education-Opp. Party No.2 is the competent authority to consider the grievance of the Petitioner as has been made in the present Writ Petition.

6. Having heard learned counsel for the parties and considering the submission made, this Court while disposing the Writ Petition permits the Petitioner to move Opp. party No.2 seeking cancellation of the order of transfer so passed on 10.07.2025 under Annexure-3.

6.1. It is observed that if any such application will be moved before Opp. party No.2 on or before 30th July, 2025, Opp. party No.2 shall take a lawful decision on the same on or before 8th August, 2025.



6.2. Till 11th August, 2025, status quo as on today with regard to continuance of the Petitioner be maintained.

6.3. With the aforesaid observation and direction, the Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Sangita

Signature Not Verified

Digitally Signed
Signed by: SANGITA PATRA
Reason: authentication of order
Location: high court of orissa, cuttack
Date: 22-Jul-2025 19:27:10

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