



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.20456 of 2025

**Sribatsa Kumar Jenamani**

.....

**Petitioner**

Mr. P.K. Rath, Sr. Adv.

-versus-

**State Of Odisha and others**

.....

**Opposite Parties**

Mr. C.M. Singh, ASC

**CORAM:**

**THE HON'BLE MR. JUSTICE ADITYA KUMAR  
MOHAPATRA**

**ORDER**

**24.07.2025**

**Order No.**

- 01.
1. This matter is taken up through Hybrid mode.
  2. Heard Mr. P.K. Rath, learned senior counsel for the Petitioner as well as learned counsel for the State-Opposite Parties. Perused the writ application as well as the documents annexed thereto.
  3. The Petitioner has filed the present writ application with the following prayer:

*“The petitioner, therefore, prays that your Lordships would be graciously pleased to admit this Writ Petition, call for the records and after hearing the parties allow the same, issue writ/writs in the nature of certiorari/ mandamus and/or any other further writ/direction and quash the transfer order of the petitioner under Annexure-1 to the extent the petitioner is concerned and direct the Opposite Parties to*



*allow the petitioner to exercise his option of his choice place of posting in the District of Cuttack, Kendrapada and Jajpur and to pass orders of transfer of the petitioner considering the Policy of the Government under Annexure-4, within a stipulated period.”*

4. Mr. Rath, learned senior counsel appearing for the Petitioner at the outset contended that the Petitioner was initially appointed by the Opposite Party-Corporation on 27.11.2012 and he was posted in a KBK District. Thereafter, the Petitioner continued his service and on 01.07.2017 he was relieved from duty and was asked to join in the District of Kandhamal. Since 01.07.2017 the Petitioner has been continuing in service in Kandhamal District, which is admittedly a KBK District. So far the KBK District is concerned, learned senior counsel for the Petitioner referred to the Resolution of the Food Supplies & Consumer Welfare Department, Government of Odisha dated 22.07.2020 under Annexure-4. Referring to the clause-9 of the aforesaid Resolution under Annexure-4, learned senior counsel contended before this Court that if an officer is posted in one of the KBK Districts and he has continued there for three years, for his next transfer he shall be given a choice with regard to his next posting. The said provision further provides that the concerned employee will give three options and as far as practicable his/her option will be taken into consideration. Such exercise of option shall be confined the choice of a particular District and not to a particular place of posting.

5. In view of the provisions contained in the aforesaid Resolution, which has been issued by the Government of Odisha in respect of



posting of field officials of civil supplies cadre, learned senior counsel further contended that the Opposite Party-Corporation which is under the Food Supplies & Consumer Welfare Department, also follows the rules and regulations and guidelines prepared by the said department of Government of Odisha. As such, it was argued that the Resolution dated 22.07.2020 under Annexure-4 is also applicable to the Corporation and to the Petitioner.

6. In view of the aforesaid position, learned senior counsel further contended that although the Petitioner has served in Kandhamal District for last eight years, however, before passing the impugned transfer order dated 21.07.2025 under Annexure-1 to the writ petition, he was not given any option as provided under clause-9 of the Resolution dated 22.07.2020 under Annexure-4. He further submitted that although the Petitioner has submitted a detailed representation on 21.07.2025 under Annexure-5 before the Opposite Party No.2, however, the same has not been considered as of now. Being aggrieved by such inaction of the Opposite Parties, the Petitioner has approached this Court by filing the present writ petition.

7. Learned counsel for the State on the other hand contended that the Petitioner belongs to the Opposite Party No.2, Corporation, therefore, the Government has no role so far the service condition of the Petitioner is concerned.

8. Considering the submissions made by the learned counsels appearing for the respective parties, on a careful analysis of their submission and on a close scrutiny of the document annexed to the writ petition, further taking note of the policy decision of the



Government under Annexure-4 to the writ petition, 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.2 by filing a detailed representation taking therein all the grounds along with all supporting documents including a copy of the policy dated 22.07.2020 under Annexure-4 within a period of one week from today. In such eventuality, the Opposite Party No.2 shall do well to consider the case of the Petitioner in accordance with law and by taking into consideration the policy decision under Annexure-4 to the writ petition and the representation shall be disposed of by passing a speaking and reasoned order within a period of four weeks from the date the Petitioner approaches the Opposite Party No.2 along with a certified copy of today's order. The final decision so taken be communicated to the Petitioner within a week thereafter. It is further directed that in the meantime if the Petitioner has not been relieved from his present place of posting, he shall not be relieved for a period of six weeks.

9. With the aforesaid observations/directions, the writ application stands disposed of.

Issue urgent certified copy of this order as per Rules.

**( Aditya Kumar Mohapatra )**  
**Judge**

*S.K. Rout*

**Signature Not Verified**  
Digitally Signed  
Signed by: SANTANU KUMAR ROUT  
Reason: Authentication  
Location: High Court of Orissa, Cuttack  
Date: 24-Jul-2025 18:25:33