



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.20543 of 2025

Sidheswar Nayak

.....

Petitioner

Represented By Adv. -
Sunil Kumar Panda

-versus-

State Of Odisha & Anr.

.....

Opposite Parties

Represented By Adv. –
Samresh Jena, A.S.C.

CORAM:

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

ORDER

25.07.2025

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel appearing for the Petitioner as well as learned Additional Standing Counsel appearing 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:

“It is therefore prayed that your Lordship may graciously be pleased to consider the facts stated in the petition, direct the opposite party, the Secretary, Panchayati Raj and Drinking Water Department, Government of Odisha to consider the grievance of the Petitioner by way of cancelling the transfer order vide notification no. PR-BDO-ESTT-0052-2024-19727 dated: 19.07.2025. AND

Pass such other order or orders as this Honorable



court deems fit and proper.”

4. Learned counsel for the Petitioner at the outset contended that on 07.01.2025 the Petitioner was posted as B.D.O., Barkote, Deogarh on being transferred from the office of B.D.O., Kaptipada under Annexure-1 to the writ application. He further contended that while the Petitioner was continuing at Barkote, Deogarh, he was again being transferred in a gap of six months as B.D.O., Barkote to B.D.O., Dasamantapur, Koraput vide notification dated 19.07.2025 under Annexure-3 to the writ application. In the aforesaid context, learned counsel for the petitioner referring to the circular of the Govt. dated 29.07.1991 of the G.A. Dept. contended that the said circular in clause 2 (ii) provides that the Officers should ordinarily be transferred after completion of three years in a station but nothing herein contained prevents the transferring authorities from transferring the officer earlier than three years it is any time when as considered necessary in the public interest.

5. In the aforesaid context, learned counsel for the Petitioner referring to the order of transfer dated 19.07.2025 contended that the same is a routine transfer order and it does not reveal that the Petitioner has been transferred either on any administrative exigency or any public interest. Therefore, such notification dated 19.07.2025 is in violation of the circular of the Govt. dated 29.07.1991 under Annexure-4 to the writ application. He further submitted that in the aforesaid context although the Petitioner has submitted a representation before the Opposite Party No.1 on 22.07.2025, however, no decision has been taken on such representation of the Petitioner. Being aggrieved by such conduct



of the Opposite parties, the Petitioner has approached this Court by filing the present writ application.

6. Learned counsel for the State on the other hand contended that although he has no specific instruction in the matter, however, taking into consideration the fact that the Petitioner has already approached the Opposite Party No.1 by filing a representation dated 22.07.2025 under Annexure-5 and in the event such representation is still pending and this Court directs the Opposite Party No.1 to consider the representation of the Petitioner strictly in accordance with law within a stipulated period of time, then he will have no objection to the same.

7. Having regard to the submissions of learned counsels for the parties, on a careful examination of the background facts as well as materials on record, further keeping in view the circular of the State Govt. under Annexure-4, this Court deems it proper to dispose of the writ application at the stage of admission by directing the Opposite Party No.1 to consider the representation of the Petitioner in accordance with law and by taking into consideration the circular under Annexure-4 and dispose of the representation of the Petitioner 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. The final decision so taken by the Opposite Party No.1 be also communicated to the Petitioner within a week from the date of taking such a decision. Further, it is directed that in the event the Petitioner has not been relieved in his present place of posting, he shall not be relieved for a period of four weeks or till disposal of the representation by the Opposite Party No.1.



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

9. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified

Digitally Signed
Signed by: ANIL KUMAR SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 25-Jul-2025 18:34:58

