



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23132 of 2025

Asish Kumar Roul

....

Petitioner

Mr. B. Routray, Sr. Advocate
with Mr. S.P. Jena, Advocate

-versus-

***State of Odisha and
Others***

....

Opposite Parties

Mr. S. Das, ASC

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

20.08.2025

Order No.

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
- 2.** Heard learned counsel for the parties.
- 3.** The present Writ Petition has been filed *inter alia* challenging order dated 08.08.2025 so passed by O.P. No.1 under Annexure-15.
- 4.** It is the main contention of the learned Senior Counsel appearing for the petitioner that, while rejecting the prayer of the application to modify/cancel the order of transfer initially passed on 01.07.2025 under Annexure-6 vide the impugned order dated 08.08.2025 under Annexure-15, O.P. No.1 has made certain observations which goes against the interest of the petitioner. It is



contended that no such observation could have been made without giving an opportunity of hearing to the petitioner.

4.1. It is contended that since the issue before O.P. No.1 was only with regard to the challenge made to the order of transfer, there was no occasion on the part of O.P. No.1 to make all those observations in the impugned order while rejecting the prayer for cancellation of the order of transfer.

4.2. It is also contended that petitioner is ready and willing to join in terms of order dated 01.07.2025 under Annexure-6. However, the observations made in the impugned order dated 08.08.2025 be held as not sustainable in the eye of law.

5. Learned Addl. Standing Counsel on the other hand contended that if the petitioner is ready and willing to join in terms of order dated 01.07.2025, this Court can pass appropriate order considering the grievance so raised.

6. Having heard learned counsel for the parties and considering the fact that petitioner is ready and willing to join in terms of order dated 01.07.2025, this Court while disposing the Writ Petition is inclined to set-aside the observations made in order dated 08.08.2025 under Annexure-15. While setting aside the observations, petitioner is permitted to join on or before 26.08.2025.



7. The Writ Petition stands disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Basudev

Signature Not Verified

Digitally Signed
Signed by: BASUDEV SWAIN
Designation: SR. STENO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 22-Aug-2025 18:51:54

