



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.21238 of 2024

Dr. Rosalin Kar **Petitioner**
Mr. Budhadev Routray, Seniro Advocate along with
Mr. Jagdish Biswal, Advocate
-versus-
State of Odisha and others **Opposite Parties**
Mr. Sailaza Nandan Das, Addl. Standing Counsel

CORAM:
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

Order No.
02.

ORDER
07.10.2024

W.P.(C) No. 21238 of 2024 & I.A. No.11180 of 2024

This matter is taken up through Hybrid Mode.

2. Seen the kind minute of the Hon'ble the Chief Justice assigning this matter to this Bench; therefore, the aforesaid matter is taken up by this Court.

3. Mr. Budhadev Routray, learned Senior Counsel along with Mr. Jagdish Biswal, learned counsel appearing for the petitioner submitted that vide Notification No.4432 dated 15.07.2016, under Annexure-3 the Odisha Public Service Commission has recommended the name of the petitioner for recruitment to the post of Assistant Professor of Prosthodontics in Group-'A' as specified in the Odisha Medical Education Service (Method of Recruitment and Conditions of Service) Rules, 2021.

4. Pursuant to the said Notification by notice No.23206 dated 03.11.2016 the petitioner was posted in the S.C.B. Dental College and Hospital, Cuttack in the Prosthodontics discipline.



5. Mr. Budhadev Routray, learned Senior Counsel drawing attention of this Court to the discipline mentioned at serial no.1, i.e., “Prosthodontics” and discipline at serial no.6, i.e., “dentistry” in the notification dated 03.11.2016, submitted that there are two different and distinct disciplines. Despite such specified disciplines and the petitioner being posted in the Prosthodontics discipline the same Government has transferred the petitioner vide Notification No.19652 dated 05.08.2024 (Annexure-14) to Sri Jagannath Medical College and Hospital, Puri in the “dentistry” discipline. The order of transfer is contrary to Dental Council of India Regulations, 2017.

6. Mr. Budhadev Routray, learned Senior Counsel also submitted that in a similar fact-situation this Court has passed interim order of *status quo* with respect to such transfer order being challenged in W.P.(C) No.19298 of 2024 (Dr. Ashis kumar Baik Vs. State of Odisha and Ors.)

7. Mr. Sailaza Nandan Das, learned Additional Standing Counsel appearing for the Opposite parties-State having not disputed said fact, prays for short accommodation to file counter affidavit.

8. Pending response of the State, this Court directs the opposite parties to maintain *status quo* till the next date.

9. List this matter on 12.11.2024 along with W.P.(C) No.19298 of 2024.

(M.S. Raman)
Judge

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Signature Not Verified

Digitally Signed
Signed by: SUCHITRA BEHERA
Designation: JUNIOR STENOGRAPHER
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 09-Oct-2024 10:18:22