
(2021) 07 OHC CK 0193
In the Orissa High Court
Case No : Writ Appeal No. 503 Of 2021

Sanjay Kumar Nayak

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 22-07-2021

Acts Referred:

Citation : (2021) 07 OHC CK 0193

Hon'ble Judges : Dr. S. Muralidhar, CJ; B. P. Routray, J

Bench : Division Bench

Advocate : Santosh Kumar Mahanty, S.N. Das

Final Decision : Dismissed

Judgement

1. This matter is taken up by video conferencing mode.
2. This appeal is directed against the order dated 30th June, 2021 passed by the learned Single Judge in disposing of the Appellant's writ petition i.e. W.P.(C) No.18755 of 2021 with certain time bound directions.
3. This is the second round of litigation regarding the Petitioner's challenge to an transfer and posting order issued by the Director of Agriculture and Food Production, Odisha, Bhubaneswar (Respondent No.2).
4. In the first round of litigation i.e. in W.P.(C) No.16794 of 2021 the learned Single Judge passed an order with a direction to the Director of Agriculture and Food Production, Odisha, Bhubaneswar to consider the Petitioner's representation and take a decision thereon and thereafter on 18th June, 2021 the Director passed an order by which the Appellant was transferred and posted in the office of the Chief District Agriculture Officer (CDAO), Bargarh on administrative grounds.

5. When the second writ petition was filed i.e. W.P.(C) No.18755 of 2021 the learned Single Judge passed the impugned order, the operative portion

of the said order reads as under:

â??xx xx xx

This Court is not inclined to entertain this writ petition. However, the petitioner may be permitted to move a fresh representation highlighting his grievances before

Opposite Party No.2 ventilating his grievances. In the event, the petitioner files a afresh representation within a period of two weeks from today, opposite party No.2

shall consider and pass appropriate order within a period of two weeks thereafter.

With the aforesaid observation and direction, the writ petition is disposed of.â??

6. Having heard Mr. S.K. Mahanty, learned counsel for the Appellant and having perused the orders passed in the petition of the Appellant from time

to time, the Court is of the view that the impugned order of the learned Single Judge dated 30th June, 2021 can hardly be said to be prejudicial to the

Appellant in any manner whatsoever. All that has been done is to permit the Appellant to make a representation before the Director of Agriculture

and Food Production, Odisha, Bhubaneswar which is to be considered within two weeks from the date of filing of the representation.

7. This Court is unable to find any error in the impugned order of the learned Single Judge.

8. The writ appeal is dismissed.

9. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order

available in the High Courtâ??s website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide

Courtâ??s Notice No.4587, dated 25th March, 2020 as modified by Courtâ??s Notice No.4798, dated 15th April, 2021.

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