



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.18079 of 2026

**Prabodha Kumar
Bebarta**

....

Petitioner
Mr. L. Mohanty, Adv.

-versus-

**State of Odisha and
Others**

....

Opp. Parties
Mr. B.K. Nayak, AGA

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**Order
No**

**ORDER
12.06.2026**

1. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. 2. Heard learned counsel for the Parties.
3. 3. Petitioner has filed the present Writ Petition with the following prayer:-

“It is, therefore, prayed that this Hon'ble Court may graciously be pleased to issue notice to the opp. parties calling upon them to file show cause as to why:

- (i) *The order of deployment dated 27.04.2026 issued by the opp.party no.3 under Annexure-2 shall not be quashed being passed by an incompetent authority and the order of relieve dated 02.05.2026 issued by the opp.party no.4 under Annexure - 3, taking into consideration the order of promotion dated 08.09.2011*



issued by the opp. party no.2 under Annexure -1.

(ii) And after hearing the parties be pleased to quash the order of deployment dated 27.04.2026 issued by the opp. party no.3 under Annexure -2 and the order of relieve dated 02.05.2026 issued by the opp. party no.4 under Annexure-3, the opp. parties be directed to allow the petitioner to continue as MPHS (Male) in the office of the opp. party no.3; within a date to be fixed by this Hon'ble Court.”

4. It is contended that even though Opp. Party No.3 is not having any authority to pass an order of deployment, but such an order was passed vide the impugned order dated 27.04.2026 under Annexure-2. Not only that in terms of the said order, petitioner was relieved vide order dated 02.05.2026 under Annexure-3 of Opp. Party No.4.

4.1. It is contended that since the impugned order of deployment has been passed by Opp. Party No.3 without having any authority, basing on such order, petitioner could not have been relieved vide order dated 02.05.2026 under Annexure-3.

5. Learned Addl. Govt. Advocate on the other hand contended that since petitioner pursuant to the order of deployment has already been relieved, prayer made in the Writ Petition has become infructuous.

6. Having heard learned counsel for the parties and considering the submission made, this Court while disposing the Writ Petition, permits the petitioner to move Opp. Party No.3 with regard to his competency in passing order of deployment, so passed by him on 27.04.2026 under Annexure-2. It is observed that if any such application will be moved



before Opp. Party No.3 within a period of 2(two) weeks hence, Opp. Party No.3 shall take a lawful decision on the same within a period of 2(two) weeks from the date of receipt of such application, with due communication to the petitioner.

7. The Writ Petition stands disposed of accordingly.

(Biraja Prasanna Satapathy)
Vacation Judge

Basudev