

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1351 of 2022

Rakesh Ranjan Mohapatra & Petitioners
another

Mr. S.K.Dash, Advocate

-versus-

State of Odisha & others Opp.parties
Mr.Debasis Mohapatra, Standing Counsel for the
School & Mass Education Department

CORAM:
JUSTICE M.S.SAHOO

ORDER

21.02.2022

Order No.

- 1.** This matter is taken up through hybrid mode.

The petitioners have stated in the writ petition that the petitioner no.1, is the father of the child reading in Class-II and petitioner no.2, is the mother of the child reading in Class-III, purportedly have joined together to espouse the cause of concerned parents regarding constitution of the School Management Committee of “Palasa Pithia Govt. Upper Primary School”. The Committee has been constituted pursuant to a meeting, the proceeding of which has been annexed as Annexure-4 (meeting no.35 dated 05.11.2021).

Several contentions have been raised by the learned counsel for the petitioners stating that the said meeting dated 05.11.2021 was not in order.

After arguing for some time, the learned counsel for the petitioner draws attention of this Court to the provision contained in the notification dated 19.02.2018 issued by the Government, Department of School & Mass Education (Annexure-1), i.e., Revised Guidelines on Composition and

Function of School Management Committee, which at paragraph-5 provides for appeal and review. It is further contended by the learned counsel for the petitioners that the petitioners have filed a representation dated 06.11.2021 under Annexure-6 to the Block Education Officer.

It is further submitted that the said representation along with documents shall be again forwarded to the appellate authority, as per Annexure-1 i.e., District Education Officer (DEO)-opposite party no.3, who may be directed to take a decision in accordance with law.

Learned Standing Counsel for the School and Mass Education Department submits that any representation that would be made shall be considered in accordance with law and disposed of in due time.

In view of the submissions made at the bar, the writ petition is disposed of at the stage of admission without issuing notice to opposite party no.6 with the following order:

The petitioners, if so advised shall forward copy of the Annexure-6 to opposite party no.3 along with documents sought to be relied upon by the petitioners. Opposite party no.3 shall do well to consider the representation and take a decision in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of communication of the certified copy of this order. The decision that would be rendered by the District Education Officer (DEO) shall be communicated to the petitioner(s) within one week.

It is clarified that this Court has not expressed any opinion on the merits of the case, in any manner whatsoever.

The writ petition is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(M.S.Sahoo)
Judge

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