

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2199 of 2022

Subha Prakash Padhy

....

Petitioner

Mr.D.K.Mohapatra, *Advocate*

-versus-

State of Orissa and others.

....

Opposite Parties

***Mr.B.Mohanty, Standing Counsel,
S & ME.***

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

11.02.2022

Order No.

1. This matter is taken up through Hybrid arrangement (virtual/physical mode).
2. The writ petition involves a challenge to the impugned order dated 13.04.2021 at Annexure-3. Entertaining a previous writ petition, this Court issuing notice in clear term indicated regarding the authority under which restriction clause has been imposed in the impugned order. Mr.B.Mohanty, learned Standing Counsel for School & Mass Education Department makes a statement before this Court that after issuing the notice in the earlier writ application, the Department on reconsideration of the issue involved has been pleased to take out the condition attached therein thereby withdrawing the letter dated 13.04.2021. Therefore, there is no existence of letter dated 13.04.2021 under Annexure-3.
3. Now considering the limited prayer to consider the case of the Petitioner in the light of the judgment in O.A.No.1668 of 2017 confirmed in W.P.(C) No.6698 of 2020 and further confirmed in

SLP(C) No.15573 of 2020, the writ petition stands disposed of directing the competent authority to dispose of the case of the Petitioner applying the decision in O.A.No.1668 of 2017 confirmed in W.P.(C) No.6698 of 2020 and further confirmed in SLP(C) No.15573 of 2020 by undertaking the entire exercise within a period of two months from the date of communication.

4. The Petitioner is directed to serve an extra copy of the brief on Mr.Mohanty, learned Standing Counsel for School & Mass Education Department for communication purpose.

5. Issue urgent certified copy as per Rules.

RKS

