

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No. 445 of 2019

Bapi Sahu

....

Petitioner

Mr. J.R. Khuntia , Advocate

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. Diptiranjana Mohapatra, Standing Counsel for the
School and Mass Education Department

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
27.07.2022

Order No.

06. 1. This matter is taken up by virtual/physical mode.
2. This Contempt Petition has been filed at the behest of the
 Petitioner in the writ petition being W.P. (C) No. 27414 of 2017
 alleging non-compliance of the order dated 6th August, 2018,
 wherein this Court passed the following order:-

“***

8. On perusal of records, it appears that the Government of Odisha in the Department of School and Mass Education Department have issued a resolution on 18.02.2008 regarding introduction of common qualification for the post of Hindi Teachers in Government. Fully Aided, Block Grant and Recognized High Schools of the State with one identical scale of pay. Clause-10 and 11 of the said resolution stipulates as follows:

“10. The Government after careful consideration have been pleased to decided as follows:-

Qualification- *The minimum education qualification for the Post of Hindi Teacher in a High School irrespective of Government, Fully Aided, Block Grant and recognized shall be as below.*

A Bachelor's Degree from a Recognized University with Hindi as one of the lective subject or with Rastrabhasa Ratna from Rastrabhasa Prachar Samiti, Wardha or an equivalent Degree from a Recognized Institution and Hindi Shikshyan parangat from Kendriya Hindi Sansthan, Agra/Hindi Teachers Training Certificate Course from Hindi Training Institutes, Cuttack, Bhubaneswar and Sambalpur.

Equivalency: *11. The Hindi Teachers Training Certificate Course conducted by the Hindi Training Institute, Cuttack Bhubaneswar and Sambalpur is declared as equivalent to Hindi Shikshyan parangat vis-à-vis B.Ed. Degree of an Indian University for the purpose of employment."*

It further appears that the Utkal University, Vani Bihar, Bhubaneswar has issued a notification on 23.04.2010 to the effect that the Siksha Sastri Degree-Siksha Acharaya Degree of Rashtriya Sanskrit Vidyapitha, Tirputi, A.P. is equivalent to B.Ed Degree of Utkal University. Since the training qualification i.e., Sikhya Sastri has been declared as equivalent qualification with B.Ed degree of Utkal University, non consideration of the candidature of the Petitioner for the post of Hindi Teacher on the ground that Sikhya Sastri qualification has not been recognized to be a training qualification is not sustainable in the eye of law.

9. In view of the discussion made hereinabove, since 40 posts of Hindi Teacher are lying vacant in the district of Kendrapara, we set aside the impugned order and direct the Opposite Parties to consider the case of the Petitioner for the post of Hindi Contract Teacher in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of production of certified copy of this order.

The writ petition is accordingly disposed of."

3. At the time of hearing today, Mr. J.R. Khuntia, counsel for the Petitioner submitted that the aforesaid order dated 6th August, 2018 has been complied with by the authority concerned. The contempt petition is, therefore, liable to be dismissed and contempt is required to be dropped.

4. In view of the above, this Court does not deem it proper to proceed any further in the contempt. Hence, the contempt petition is dismissed, being infructuous.

Issue urgent certified copy as per rules.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Laxmikant

July 27, 2022

Cuttack

