

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.10237 OF 2010

Santilata Mishra

....

Petitioner(s)

Mr.J.K.Rath,Sr.Adv.

-versus-

State of Orissa and others

....

Opposite Party(s)

Mr.R.K.Samal,SC

CORAM:
JUSTICE BISWANATH RATH

ORDER

19.12.2022

Order No.

04.

1. Heard learned counsel for the Parties.
2. This Writ Petition involves the following prayer:-

“Under the above circumstances, it is therefore most humbly prayed that let this Hon’ble Court be graciously pleased to issue a writ in the nature of mandamus and/or any other appropriate writ/direction or order by quashing the order passed by the opposite party No.3 vide Annexure-4 to the writ application as the same is incompetent, without authority and passed in contravention to the provisions of the Orissa Education Act and Rules framed thereunder and instruction issued by the State Government.

And/or pass such other order/orders, direction/directions as this Hon’ble Court may think fit and proper for the ends of justice.

And for this act of kindness, the petitioner shall as in duty bound ever pray.”

3. Through the Writ Petition it is alleged that there has been illegal reversion of the Petitioner from the post of Headmaster and there is placement of wrong person. In course of hearing this Court finds, in entertaining the Writ Petition Division Bench of this Court by

order dated 11.06.2010 has stayed operation of Annexure-4, which order is operating till now.

4. In course of hearing Mr.Samal, learned Standing Counsel producing a communication dated 17.12.2022 submits that the Petitioner is still continuing as the Headmistress-in-charge of Banamali Brahmachari Girls High School, Raghunathpur. Further fact also discloses Petitioner is to spent hardly one more year to attend her superannuation. In the circumstance this Court finds the Petitioner should not be disturbed at least till her superannuation.

5. With this observation, the Writ Petition stands disposed of.

Swarna



(Biswanath Rath)
Judge