

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 27215 of 2017

Manaswini Mohapatra

.....

Petitioner

Mr. B. Routray, Sr.

Advocate along with Mr. S.D.

Routray, Advocate

Vs.

*Commissioner-cum-Secretary
to Govt. of Orissa, S&ME
Deptt. and Others*

.....

Opposite Parties

Mr. B. Prusty, SC, S&ME Deptt.

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S. K. MISHRA

ORDER

22.07.2022

Order No.

28

This matter is taken up through hybrid mode.

2. Heard Mr. S.D. Routray, learned Counsel appearing on behalf of Mr. B. Routray, learned Senior Counsel for the Petitioner and Mr. B. Prusty, learned Standing Counsel for School and Mass Education Department.

3. The Petitioner has filed this Writ Petition seeking to quash the order/Judgment dated 01.11.2017 passed by the Odisha Administrative Tribunal, Bhubaneswar in O.A.644 of 2016.

4. Mr. S.D. Routray, learned Counsel appearing for the Petitioner contended that the case of the Petitioner is covered by the ratio decided by this Court in *State of Odisha v. Aparna Sinha* (W.P.(C) No.10616 of 2020 disposed of on 07.09.2020), which has been upheld by the apex Court in SLP(C) No.000195-000196 of 2021. Therefore, the case of the Petitioner be considered in the light of Judgment passed by this Court in W.P.(C) No.10616 of 2020.

5. Since the case of the Petitioner is covered by the ratio decided in *Aparna Sinha* (supra), which has been confirmed

by the apex Court in SLP(C) No.000195-000196 of 2021, the order/Judgment dated 01.11.2017 passed by the Odisha Administrative Tribunal, Bhubaneswar in O.A.644 of 2016 is liable to be quashed and is hereby quashed.

6. The writ petition is disposed of accordingly.

7. Issue urgent certified copy as per Rules.

.....
(DR. B.R. SARANGI)
JUDGE

.....
(S. K. MISHRA)
JUDGE

Alok/Ananta

