

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12463 of 2022

Amita Das

.....

Petitioner

Mr. D.N. Rath, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite Parties

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

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

01.11.2022

Order No.

5

This matter is taken up through Hybrid mode.

2. Heard Mr. D.N. Rath, learned counsel appearing for the petitioner and Mr. B. Mohanty, learned Standing Counsel for School & Mass Education Department.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to regularize her service as regular primary school teacher in Level-V A of the elementary Cadre with effect from 14.10.2021 by issuing appointment order and release the differential salary from 14.10.2021 in her favour within a stipulated period.

4. Pursuant to notice issued, opposite party no.5 filed counter affidavit, paragraph-9 whereof states as follows:

“9. That it is humbly submitted that since the documents relating to regularization of the petitioner could not have been received in time, her case was not considered as per this office letter dated 28.03.2022. However it is to mention here that the process of regularization of the Petitioner has already been considered by the Collector, Kendrapara and her name has been approved in the meeting held on dtd. 01.08.2022 under

*the Chairmanship of the Collector, Kendrapara. The Block Education Officer, Rajkanika has already been communicated to issue appoint order in favour of Smt. Amita Das as regular primary school teacher with effect from the date of completion of three years of services as Junior Teacher i.e. 14.10.2021 vide this office letter no.2000 dtd. 23.08.2022 and she is eligible to avail all financial benefits with effect from the date of regularization. The copy of the Letter No.2000 dtd.23.08.2022 is annexed herewith as **Annexure-A/5**".*

5. In view of the pleadings made in paragraph-9 of the counter affidavit, the grievance of the petitioner has been considered by the Collector, Kendrapara and her name has been approved in the meeting held on dated 01.08.2022 under the Chairmanship of the Collector, Kendrapara. The Block Education Officer, Rajkanika has already been communicated to issue appointment order in favour of the petitioner as regular primary school teacher with effect from the date of completion of three years of services as Junior Teacher i.e. 14.10.2021 vide office letter no.2000 dated 23.08.2022 and she is eligible to avail all financial benefits with effect from the date of regularization.

6. In that view of the matter, this Court disposes of this writ petition with a direction to the opposite parties to comply with their letter as mentioned above and issue appointment letter in favour of the petitioner and extend all the financial benefits as due and admissible to her as early as possible preferably within a period of four months from the date of production/communication of certified copy of this order.

7. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

