

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.753 of 2001

Parameswar Barik

.... Petitioner

-versus-

State of Odisha & Ors.

.... Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
28.06.2022

Order No

02.

- 1.** This matter is taken up through Hybrid Mode.
- 2.** Heard Ms. Shukla, learned counsel appearing on behalf of Mr. S.K.Purohit, learned counsel for the Petitioner and Mr. B.Mohanty, learned Standing Counsel for the State-Opposite Parties.
- 3.** The Petitioner is aggrieved by the order dated 18.01.2001 and 05.02.2001 passed under Annexures-3 & 4 by which the petitioner was terminated from his service.
- 4.** This Court while issuing notice of the matter has passed an interim order that the post from which the Petitioner has been terminated, shall not be filled up by way of fresh appointment.
- 5.** Ms. Shukla, learned counsel appearing on behalf of Mr. Purohit submitted that persons similarly situated and terminated along with the petitioner in the meantime have been reinstated vide different orders issued by the District Education Officer, Bargarh and Jharsuguda.

6. It is also fairly submitted by Mr.Mohanty, learned Standing Counsel that pursuant to the order passed by the learned Tribunal and basing on the report submitted by a Committee most of the disengaged Teachers have been reengaged in the meantime.

7. Considering the submissions made by the learned counsel for the Parties, this Court permits the Petitioner to move an application before the District Education Officer, Sambalpur within a period of three weeks from today.

8. It is however observed that if any such application is filed within the aforesaid period, the District Education Officer, Sambalpur shall take a lawful decision on the same and pass an appropriate order with regard to reengagement of the Petitioner within a further period of three months. It is further observed that while taking such a decision, the orders passed in respect of similarly situated Primary School Teachers by the other Districts be taken into consideration. The order so passed be communicated to the Petitioner within that time.

9. With the aforesaid observations and directions, the WPC (OAC) stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat