

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14390 of 2022

Hemanta Kumar Barik

....

Petitioner

Mr. Satyabrata Mohanty, Adv.

-versus-

Govt. of Odisha and Ors.

....

Opposite Parties

Mr. Saswat Das, AGA

CORAM:

MR. JUSTICE S.K. PANIGRAHI

ORDER

22.06.2022

Order No.

02.

1. This matter is taken up through hybrid arrangement.
2. Heard.
3. The petitioner is serving as Workshop Superintendent in Government Polytechnic, Bhubaneswar and is going to be retired by the end of June, 2022 on attaining the age of 60 years.
4. Learned counsel for the petitioner submits that as per the “AICTE Regulations on pay scales, service conditions and minimum qualifications for appointment of teachers and other academic staff such as Library, Physical Education and Training and Placement Personnel in Technical Institutions and measures for the maintenance of standards in Technical Education (Diploma) Regulation, 2019”, the retirement age of polytechnic faculty members like the present petitioner should

be 65 years extendable by 5 years up to 70 years on fulfillment of certain conditions.

5. Since the State Government is the appointing and cadre controlling authority, the State Government has legislative competence to increase or decrease the age of retirement.

6. At this stage, learned counsel for the petitioner indicates that the petitioner has filed a representation dated 02.05.2022 before the authority i.e. opposite party No.2- Secretary, Skill Development and Technical Education, Government of Odisha, Bhubaneswar.

7. In such view of the matter, the opposite party No.2- Secretary, Skill Development and Technical Education, Government of Odisha, Bhubaneswar is directed to decide the representation of the petitioner and pass a reasoned order in accordance with law keeping in view the Annexure-7 series within a period of one month from the date of presentation of a certified copy of this order along with a copy of the Writ Petition.

8. Accordingly, this Writ Petition is disposed of.

9. Urgent certified copy of this order be granted on proper application.

(S.K. Panigrahi)
Judge