

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15279 of 2022

Purna Chandra Gochhi & Ors. Petitioners

Mr. Kunal Kumar Swain, Adv.

-versus-

State of Odisha and Anr. Opposite Parties

*Mr. Debasis Mohapatra, SC
(for S and ME Deptt.)*

**CORAM:
DR. JUSTICE S.K. PANIGRAHI**

**Order
No.**

**ORDER
05.07.2022**

02. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. In this Writ Petition, the petitioners seek a direction from this Court to the opposite parties to antedate their promotion to Junior SES Cadre and to fix their pay in the Trained Graduate Scale of pay on notional basis on completion of three years of service as LSES Teachers or from the date of their acquisition of B.Ed. qualification whichever is later i.e. petitioner No.1 with effect from

01.02.1991, petitioner No.2 with effect from 20.05.1991, petitioner No.3 with effect from 08.04.1993, petitioner No.4 with effect from 01.02.1991 and petitioner No.5 with effect from 08.04.1993 in accordance with Rule-10-A and Rule-10-B of the Odisha Subordinate Education Service (General Branch) Rules, 1972 and they may be allowed the Trained Graduate Scale of Pay on notional basis along with other consequential benefits, which has been made available to similarly situated Teacher like that of one Kiran Chandra Mishra as per order dated 23.12.2021 under Annexure-12 passed by the opposite party No.1- Principal Secretary to Government of Odisha, School and Mass Education Department and three Teachers as per Annexure-14 series, keeping in view the judgment of the Odisha Administrative Tribunal, Cuttack Bench, Cuttack rendered in the case of **Rabindra Kumar Panda and another -vrs.- State of Orissa and others** (O.A. No.1673 (C) of 1993 disposed of on 28.11.2007) which has been upheld by this Court and subsequently in the case of **Krushna Chandra Panda and Ors. -vrs.- State of Orissa and another** (O.A. No.87 (C) of 2014 and O.A. No.3866 (C) of 2012 disposed of by a common order dated 14.09.2015), which has also been upheld by this Court in the case of **State of Odisha and others -vrs.- Kailash Ch.**

Sahu (W.P.(C) No.22983 of 2016 disposed of on 29.03.2017), within a stipulated time.

4. Learned counsel for the petitioners submits that the Hon'ble Supreme Court also in the case of **Krushna Chandra Panda -vrs.- Pradipta Kumar Mahapatra and Ors. etc.** vide order dated 27.01.2022 passed in SLP (c) Nos.7408-7413 of 2021 directed the State Government to pass appropriate reasoned order. Learned counsel for the petitioners further submits that the petitioners have filed representations under Annexure-13 series before the opposite party No.2- Director, Secondary Education, Odisha, Bhubaneswar. But the same have not yet been considered by the authority.

5. In view of the direction of the Hon'ble Supreme Court in the case of **Krushna Chandra Panda** (supra), the opposite party No.2- Director, Secondary Education, Odisha, Bhubaneswar is directed to decide the representations under Annexure-13 series filed by the petitioners and pass reasoned orders, within a period of three month from the date of production/presentation of certified copy of this order along with a copy of this Writ Petition.

6. Accordingly, this Writ Petition is disposed of.

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

(Dr. S.K. Panigrahi)
Judge

BJ

