

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 12906 of 2019

Odisha Rashtrabhasa Parishad

.....

Petitioner

Mr. S. Das, Adv.

Vs.

State of Orissa and others

.....

Opposite Parties

Mr. S. Jena, Standing Counsel S&ME

Mr. S.D. Routray, Adv. [O.P.Nos.2 & 6 to 16]

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. MISHRA

ORDER

06.07.2022

Order No.

13.

This matter is taken up through hybrid mode.

2. Heard learned Counsel for the Petitioner; Mr. S. Jena, learned Standing Counsel for School and Mass Education Department and Mr. S.D. Routray, learned Counsel appearing for Opposite Parties Nos.2 and 6 to 16.

3. The Petitioner has filed this Writ Petition to quash the Resolution dated 27.10.2014 under Annexure-1 issued by the Government of Orissa in School and Mass Education Department, and to issue direction to Opposite Party No.1 to verify the authenticity of the recognition of Dakhin Bharat Hindi Prachar Sabha, Madras and also to accept the degree of other recognized colleges as under Annexure-6.

4. Mr. S. Jena, learned Standing Counsel for School and Mass Education Department contended that the Resolution dated 27.10.2014 under Annexure-1 issued by the Government of Orissa in School and Mass Education Department has already been superseded by subsequent Resolution dated 14.12.2021 and, as such, effect of such Resolution is no more subsisting. It is further contended that since the Association has filed this Writ Petition seeking relief on behalf of its members, the same is not maintainable, in view of the judgment of this Court in the case of

Private Nursing School & College Association of Odisha (PNSCAO) v. The Commissioner-cum-Secretary, Health and Family Welfare Department, Odisha and others (W.P.(C) No. 19484 of 2020 disposed of on 14.08.2020).

5. The aforesaid contention raised by learned Standing Counsel for School and Mass Education Department is endorsed by Mr. S.D. Routray, learned Counsel appearing for Opposite Parties Nos.2 and 6 to 16.

6. Having heard learned Counsel for the parties and after going through the records, this Court finds that since the Resolution dated 27.10.2014 under Annexure-1 has already been superseded by subsequent Resolution dated 14.12.2021 and, as such, the effect of such Resolution is no more subsisting, the Writ Petition has become infructuous. Otherwise also, at the behest of its members, the Writ Petition filed by the Association, is not maintainable, in view of the judgment of this Court in the case of ***Private Nursing School & College Association of Odisha (PNSCAO)*** (supra).

7. In such view of the matter, the Writ Petition stands disposed of as infructuous.

(DR. B.R. SARANGI)
JUDGE

(S.K. MISHRA)
JUDGE

Ashok/Padma