

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.193 of 2017

State of Odisha and others

...

Appellants

Mr. Dipti Ranjan Mohapatra, Senior Standing Counsel for the
School and Mass Education Department

-versus-

Akshaya Kumar Pradhan

...

Respondent

Mr. P. R. Chhatoi, Advocate

CORAM:

THE CHIEF JUSTICE

JUSTICE CHITTARANJAN DASH

ORDER

18.10.2022

Order No.

- 05.
1. The Respondent is already over 75 years old and the claim is only for a period of three years, during which he performed his duties i.e. 1st March, 1994 to 7th December, 1997.
 2. The case of the Appellant is that he was still working under the erstwhile management of BR High School, Belpahar whereas the order of the District Education Officer, Sambalpur dated 1st May 2017 itself indicates that the grant-in-aid to the said school was stopped w.e.f. 1st November, 1994. The Respondent therefore could not be left high and dry as regards his claim for pay for the aforementioned period.
 3. In the circumstances, the Court sees no reason why it should interfere with the impugned order of the learned Single Judge. Nevertheless, it is clarified that the said order will be treated as having been passed in the peculiar facts and circumstances of the case and will not create a precedent.

4. The writ appeal is accordingly dismissed. The interim order passed earlier stands vacated. However, the requirement for personal appearance of the officers concerned is dispensed with subject to the compliance of the above directions.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

M. Panda

