

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20977 of 2022

***Managing Committee of “The
Welfare”, School for the Blind,
Ranipatna, Balasore***

.... Petitioner

**Mr. D.K.Mohapatra
Advocate**

-versus-

State of Odisha & others

.... Opposite Parties

**Mr. N.K.Praharaj,
Govt. Advocate**

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
13.9.2022.**

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Government Advocate for the State.
3. The Petitioner is the Managing Committee of special School established for visually impaired in the name of “The Welfare”, School for the Blind at Ranipatna in the district of Balasore. It is claimed that 26 posts of different categories (teaching and non-teaching) have been created and approved by the

Government for the said School of which, two posts are lying vacant including one post of Asst. Teacher consequent upon retirement and expiry of the incumbents. The Supreme Court in the case of ***Rajneesh Kumar Pandey and others v. Union of India and others*** passed in Writ Petition (Civil) No.132/2016, decided on 28th October, 2021, issued several directions to be implemented in respect of such special Schools. One of such direction was as follows:

“To initiate appointment process to fill in vacancies for the posts so created for rehabilitation professionals/special teachers for being appointed on regular basis. The same shall be completed within six months from the date of this order or before the commencement of academic year 2022-2023, whichever is earlier.”

Pursuant to such order of the Apex Court, the Government in Department of SSEPD requested all the District Social Security Officers vide letter dated 14th May, 2022 to take immediate steps for filling up the vacancies of the Teachers and other professionals in special Schools.

4. It is submitted by Shri D.K.Mohapara, learned counsel for the Petitioner, that despite the order passed by the Apex Court and the directives issued by the State Government, no action has been taken in the matter as yet. Ventilating such grievance, the Director of the Petitioner School by his representations dated 5th May, 2022, 14th May, 2022 and 11th June, 2022 has

requested the District Social Security Officer, Balasore (Opposite Party No.4) to take early steps for filling up the vacant posts. The said representations are said to be pending.

4. Considering the limited grievance of the Petitioner without expressing any opinion on the merits of the case, the Writ Petition is disposed of with direction to the Opposite Party Nos. 3 and 4 to act upon the directives of the Government in their letter dated 4th May, 2022 and 5th July, 2022 (enclosed as Annexures-5 and 6 respectively) to the Writ Petition as early as possible preferably within a period of two months from the date of communication of this order or on production of certified copy thereof by the Petitioner.

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

AKB

(Sashikanta Mishra)
Judge