

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22542 of 2022

Raghaba Kumar Mishra *Petitioner*
Mr. Soubhagya Chandra Dev Dash, Adv..
-versus-
State of Odisha and Ors. *Opposite Parties*
Mr. Debasis Mohapatra, SC
(for S & ME Deptt.)

CORAM:
DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
27.09.2022

01. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. In this Writ Petition, the Petitioner, who is serving as a Physical Education Teacher (PET) in Panchayat High School, Sakama, in the district of Bolangir, seeks a direction from this Court to the Opposite Parties to consider his case for promotion/ adjustment against the Trained Graduate Post after passing the B.Ed Examination or against the consequential vacancy caused due to retirement of one Sankirtan Sai, regular Trained Graduate Teacher of the School with effect from 31.05.2020.

4. Learned counsel for the Petitioner submits that the Petitioner was appointed as a PET pursuant to the appointment letter dated 29.06.1990 issued by the Secretary of the School. He joined the said post on 03.07.1990. In the meantime, he acquired B.Ed degree on 09.05.2013 and he started taking classes of Class-IX and Class-X in different subjects like Odia, History, Geography etc. since 2013.

5. Grievance of the Petitioner is that despite his B.Ed degree, he has not been given promotion to the Trained Graduate Post or his name has not been approved against the subsequent vacancy caused due to retirement of one regular Trained Graduate Teacher namely Sankirtan Sai on attaining the age of superannuation on 31.05.2020 by the Managing Committee of the School. Hence, being a B.Ed degree holder, his case should have been considered by the Managing Committee.

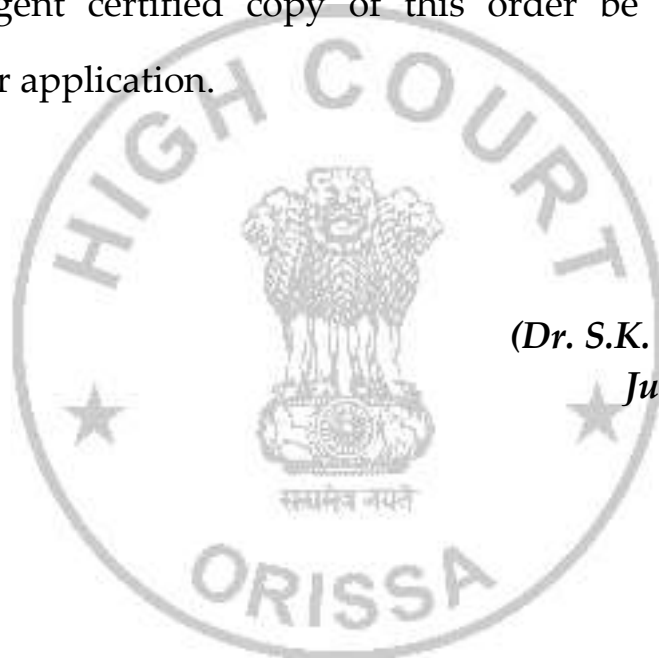
6. At this stage, learned counsel for the Petitioner submits that the Petitioner has filed representations under Annexures-4 before the President of the School on 25.04.2021 and 5 before the Opposite Party No.3/ District Education Officer, Bolangir on 22.12.2021 ventilating his grievance. But the same are still pending.

7. In such view of the matter, both the aforesaid authorities are directed to dispose of the representations of the Petitioner and pass appropriate orders in accordance with law within a period of one month from the date of presentation of a 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.

B.Jhankar



(Dr. S.K. Panigrahi)
Judge