

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26057 of 2022

Deleep Kumar Utlia

....

Petitioner

Mr. Kailash Chandra Kanungo, Adv..

-versus-

*The Secretary, School and
Mass Education Deptt,
Odisha and Ors.*

....

Opposite Parties

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

CORAM:

DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER

17.10.2022

01. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. In this Writ Petition, the Petitioner, assails the order of punishment dated 01.10.2021 passed by the Opposite Party No.4/ Block Education Officer, Patrapur, in the district of Ganjam terminating his services for alleged misconduct of submitting fraudulent certificates at the time of his engagement as Sikshya Sahayak and posted at Baghala Upper Primary School under Purusottampur Block, in the district of Ganjam in the year 2011.
4. At this juncture, learned counsel for the Petitioner submits that the Petitioner has filed an appeal before the

Opposite Party No.3/District Education Officer, Chhatrapur, in the district of Ganjam instead of Opposite Party No.2/ Director, Secondary Education, Odisha, Bhubaneswar which is the appropriate authority.

5. In such view of the matter, the Petitioner is directed to approach the appellate authority i.e. the Opposite Party No.2/ Director, Secondary Education, Odisha, Bhubaneswar afresh within a period of fifteen days from today. On such event, the Opposite Party No.2/ Director, Secondary Education, Odisha, Bhubaneswar shall consider the appeal to be filed by the Petitioner within a period of 45 days of filing of the appeal. The appellate authority shall also condone the delay, if any, and consider the appeal on merit.

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

B.Jhankar