

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC)No.165 of 2015

Narayan Pandey

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

7.7.2022

Order No

11. 1. This matter is taken up through Hybrid Mode.

2. Heard Mr. S.K. Das, learned counsel for the petitioner and Mr. B. Mohanty, learned Standing Counsel for the Opp. Parties.

3. This Writ Petition has been filed by the petitioner with a prayer to quash the impugned order dated 13.8.2004 passed by the Opp. Party No.3 under Annexure-19. It is submitted that Opp. Party No.3 rejected the claim of the petitioner for his appointment as a Hindi Contract Teacher in the district of Nuapada on the ground that the qualification possessed by the petitioner is not from Hindi Sikhya Parangat from Kendriya Hindi Sansthan, Agra/B.H.Ed from Hindi Teacher Training Institute, Cuttack/Hindi Teachers Training Certificate Course from Hindi Teacher Training Institute, Cuttack, Bhubaneswar and Sambalpur or Praveen from Kendriya Hindi Sansthan, Agra.

4. Mr. Dash, learned counsel for the petitioner submits that petitioner possesses the said qualification from Dakshin Bharat Hindi Prachar Sabha, Madras. Mr. Das further submitted that even though the petitioner was found eligible but his application was rejected on the ground of his not having the required qualification from the aforesaid institutions. Mr. Das further submitted that similar issue was decided by this Court vide

judgment delivered on 17.8.2021 in WPC (OAC) No.1629 of 2015. While deciding a similar issue, this Court held that the for qualification obtained by the present petitioner is from a institution duly recognized by NCTE. Accordingly, this Curt directed the authorities to consider the engagement of the petitioner therein as Contract Teacher in Hindi. Mr. Dash accordingly submitted that similar order may kindly be passed in case of the petitioner.

4. Mr. Biplab Mohanty, learned Standing counsel was also provided with a copy of the said judgment passed by this Court in the aforesaid case. Mr. Mohanty, learned Standing counsel fairly submitted that the issue involved in this case has been considered in the affirmative and direction may be issued to the Opp. Party No.3 to consider the claim of the petitioner for his engagement as Contract Teacher in Hindi in respect of Nuapada district, if vacancies are available at present.

5. Heard learned counsel for the parties.

6. Considering the submissions made and the decision of this Court as cited supra, this Court while interfering with the matter set aside the impugned order date 13.8.2014 under Annexure-19. While setting aside the same, this Court direct the Opp. Party No.3 to consider the claim of the petitioner for his engagement as Contract Teacher in Hindi as against available vacancies. The entire exercise shall be completed within a period of three months from the date of receipt of this order.

7. The Writ Petition is accordingly disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita

sangita

