

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OA) No.1598 of 2015

Susanta Kumar Beura & Ors. Petitioners

-versus-

State of Odisha & Ors. Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
22.06.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Sahu, learned counsel for the Petitioners and Mr. Mohanty, learned Standing Counsel appearing for the Opp. Parties.
3. The Petitioners have filed the present writ Petition with a prayer to quash the order dtd.02.06.2015 under Annexure-5, wherein a direction was issued by the Director of Elementary Education to the District Education Officer, Kendrapara to reconvene the screening committee to cancel the recommendation of the screening committee held on 24.11.2014. Prima facie the communication at Annexure-5 is not an order and it is not amenable to be challenged by the Petitioners.
4. Be that as it may, this Court while issuing notice of the matter has stayed the operation of the said order so far as it relates to the Petitioner. Since no order has been passed basing on the

communication issued on 02.06.2015, this Court is not inclined to entertain the writ Petition.

5. However, it is observed that if basing on the communication dt.02.06.2015 the DEO, Kendrapara will take a decision, then necessary opportunity of hearing will be given to the Petitioners. The DEO is to give a personal hearing to the Petitioner No. 1 on behalf of all the Petitioners.

6. It is observed that till a decision is taken by the DEO, no coercive action shall be taken against the Petitioner. But this Court has not expressed any view on the merits & contentions of the Petitioners.

7. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha

