

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 27931 of 2022

Asit Kumar Nayak

.....

Petitioner

Mr. R. Samal Adv.

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. S. Jena, Standing Counsel S&ME

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

27.10.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.

3. Mr. R. Samal, learned counsel for the petitioner contended that the case of the petitioner is covered by the judgment of the apex Court in the case of *Malaya Nanda Sethy v. State of Orissa*, Civil Appeal No. 4103 of 2022 disposed of on 20.05.2022. Therefore, this writ petition may be disposed of in the light of the aforesaid order.

4. Mr. S. Jena, learned Standing Counsel for School and Mass Education Department does not dispute the position.

5. In the above view of the matter, this writ petition stands disposed of directing the opposite parties-authority to consider the case of the petitioner in the light of the judgment passed by the apex Court in the case of *Malaya Nanda Sethy* (supra) and pass appropriate order in accordance with law within a period of three months from the date of production of certified copy of this order.

Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Ashok