

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.C(OAC) No.475 of 2016**

**Leepi Swain**

....

**Petitioner**

*-versus-*

**State of Odisha & Others**

....

**Opp. Parties**

**COROM:**

**JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER**

**20.7.2022**

**Order No**

**2.**

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

**2.** Heard Mr. Mishra, learned counsel for the Petitioner and Mr. Mohanty, learned counsel for the State-Opp. Parties.

**3.** At this outset, Mr. Mishra is permitted to implead DEO, Dhenkanal as Opposite Party No.4 in Court today.

**4.** The petitioner is aggrieved by the order dated 6.1.2016 passed by Opp. Party No.1 wherein his claim for appointment as Hindi Teacher has been rejected on the ground that she is an untrained teacher.

**5.** It is submitted that similar issue has been decided by this Court vide its judgment dated 15.9.2021 passed in W.P.C (OAC) No.921 of 2016 and batch. In the said judgment, this Court has already held that untrained teachers can be considered for appointment, if vacancy is available. It is also submitted that vacancies are available under Opposite Party No.4.

**6.** Mr. Mohanty, learned counsel appearing for the Department on the other hand submitted that the prayer of

the petitioner for her engagement can be considered by the D.E.O, Dhenkanal, if vacancies are available at present.

**7.** In view of such stand taken by the learned counsel for the parties, this Court directs Opp. Party No.4 to consider the claim of the petitioner for her engagement in the light of the order passed by this Court in the aforesaid batch of Writ Petition within a period of three months from the date of receipt of this order if vacancies are available as on date.

**8.** The Writ Petition is accordingly disposed of.

sangita



**(Biraja Prasanna Satapathy)**  
**Judge**