

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.3827 of 2014

Jikurun Nesan

..... Petitioner
Mr. S.K. Samal, Advocate

-versus-

State of Odisha and others

..... Opposite Parties
Mr. S.Jena,
Standing Counsel for S & ME.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
10.02.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. Perused the record.
4. Learned counsel for the Petitioner submits that batch of cases were filed before the Odisha Administrative Tribunal with the following prayer :-

“The Petitioners have filed this writ petition seeking for quashing of clause-3(f) of the guidelines under Annexure-5 and 6, with regard to qualification prescribed for the post of Hindi Teachers and further seeks to include Hindi Sikshan Praveen as one of the training qualification in consonance with the resolution dated 29.03.2011 laying down the common qualification of Secondary schools and thereby accept the candidature of the applicants and allow them to participate in the selection process as per the advertisement for the year 2014-15 for engagement of contract teachers

(Hindi) and in the event of their selection, they may be engaged as Hindi Teacher on contract basis.”

5. The present application has been re-registered as WPC(OAC) No.3827 of 2014 on transfer of O.A. No.3827 of 2014 from the learned Odisha Administrative Tribunal, Odisha, Cuttack Bench, Cuttack to this Court after abolition of the O.A.T. involving very same issue. Further the issue involved herein has also been decided by this Court by order dated 3rd December, 2021.

6. It is submitted by learned counsel for the Petitioner that the case of the Petitioner is squarely covered by the decision in the case of ***Sangram Keshari Guin and others vrs. State of Odisha*** : WPC(OAC) No.3682 of 2014 and batch of matters disposed of on 03.12.2021.

7. Mr. S. Jena, learned Standing Counsel appearing for the School and Mass Education Department submits that the authority is required to verify whether the case of the petitioner is identical to the fact of the aforesaid case or not. Further he submits that in the event facts are similar then this writ petition shall be considered in terms of order date 3rd December, 2021.

8. Having heard learned counsel for the parties, this Court disposes of the writ petition with a direction to the authorities to consider the case of the Petitioner in the light of the order passed in ***Sangram Keshari Guin and others vrs. State of Odisha*** (supra) within a period of eight weeks from the date of production of the certified copy of this order. The decision taken on the same shall be communicated to the Petitioner within a period of ten days thereafter.

9. With the aforesaid direction, the writ petition stands disposed of.

10. Urgent certified copy of this order be granted on proper application.

