

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.129 of 2011

Biranchi Sankar Purohit

....

Petitioner

Mr. Debadutta Routray, Advocate

-versus-

State of Orissa and others

....

Opposite Parties

Mr. S.N. Mohapatra, S.C, S.&M.E. Deptt.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

14.02.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for both the parties.
3. The present writ petition has been filed by the Petitioner challenging the advertisement dated 27.10.2010 under Annexure-9 and letter dated 10.12.2010 under Annexure-10. The Petitioner has further prayed for a direction to the Opposite Parties to regularize the services of the Petitioner as against the post of Trained Graduate Teachers and to pay the Trained Graduate Scale with effect from the date of transfer of the Petitioner from the upgraded High School to High School, i.e. with effect from 21.09.2010.
4. So far the grievance of the Petitioner with regard to advertisement dated 27.10.2010 is concerned, the Orissa Administrative Tribunal by order dated 28.02.2011 has directed the Opposite Parties, respondents therein with liberty to proceed with the selection process and issue orders engaging the selected

candidates as teachers in Govt. High Schools only and not in UP/UPME or Upgraded M.E. School. The prayer of the Petitioner pertains to regularization of his services in Regular High Schools.

5. Learned counsel for the School and Mass Education Department submits that the matter has become infructuous with the passage of time. However, when a query is made to the Standing Counsel, he submits that he has no objection if a direction is given to the Opposite Party Authority to consider the case of the Petitioner for regularization in regular High School as Trained Graduate Teacher and for payment of the scale of pay attached to the said post subject to Petitioner's eligibility and suitability to the post, within a stipulated period of time.

6. Having heard learned counsel for the parties, this Court is of the considered view that there is no meaning to keep the matter pending and accordingly disposes of the writ petition with a direction to the Petitioner to file a fresh representation before the Commissioner-cum-Secretary to Govt., Department of School and Mass Education Department, Opposite Party No.1 along with all supporting documents within a period of two weeks from today. In such event, the Opposite Party No.1 shall consider and dispose of the representation of the Petitioner strictly in accordance with law within a period of eight weeks from the date of presentation of the representation. It is further made clear that in the event Petitioner is found eligible and suitable to the post of Trained Graduate Teacher, his case may be considered for regularization and consequential service benefits also be granted to the Petitioner subject to availability of the post.

7. With the above direction, the writ petition stands disposed of.
8. Issue urgent certified copy on proper application.

(A.K. Mohapatra)
Judge

U.K.Sahoo

