

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30790 of 2022

Maguni Charan Balasharma ***Petitioner***
Primary School, Balasore

Mr.Lalit Kumar Maharana, Advocate

-versus-

State of Odisha and others ***Opposite Parties***
Mr.R.C.Patnaik, Standing Counsel for S
& ME.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.12.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Standing Counsel for School & Mass Education Department.
3. The Petitioner has filed the present writ application with the following prayer:

“ It is therefore prayed that your Lordships may graciously be pleased to admit the writ petition, issue notice to the Opp.Parties, calling upon the to show cause as to why they shall not be directed to allow the General Secretary and/or any of the staff of Maguni Charan Balasharma to be a member of the Parents Teachers Association thereby participate in the formation of School Management Committee;

And in the event the Opp.Parties fail to show cause or show insufficient cause, they be directed to allow the General Secretary and/or any of the staff of Maguni Charan Balasharma to be a member of the Parents Teachers Association thereby participate in the formation of School Management Committee;

And further be pleased to pass any other order(s)/direction(s) be deem fit and proper.”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Block Education Officer, Basta, Opposite Party No.2 under Annexure-13. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.2 to consider the representation of the Petitioner under Annexure-13 within a stipulated period of time.

5. Learned Additional Standing Counsel submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.2 which is stated to be pending, in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.2 to consider the representation of the Petitioner under Annexure-13 in accordance with law taking into consideration the recommendation under Annexure-12 within a period of four weeks from the date of production of certified copy of this order. The Opposite Party No.2 shall do well to dispose of the representation of the Petitioner under Annexure-13 by passing a speaking and reasoned order.

7. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

