

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 32263 of 2022

Prakash Kumar Choudhury

.....

Petitioner

Mr. T.K. Biswal, Adv.

Vs.

*Commissioner-cum-Secretary,
Higher Education, Govt. of Odisha
and others*

.....

Opposite Parties

Mr. S. Nayak, ASC

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

30.11.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. T.K. Biswal, learned counsel for the petitioner and Mr. S. Nayak, learned Addl. Standing Counsel appearing for the State-Opposite Parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to prepare gradation/seniority list afresh as per the guidelines under Annexure-7 for extension of proper grant-in-aid fold.

4. Mr. T.K. Biswal, learned counsel for the petitioner contended that though the post of the petitioner was earlier approved, but subsequently opposite parties no.4 and 5 received grant-in-aid and treated senior to him, which they are not entitled to.

5. Mr. S. Nayak, learned Addl. Standing Counsel appearing for the State-Opposite Parties contended that whether the petitioner will get grant in aid earlier to the opposite parties no.4 and 5 or not, that question can only be resolved in a proceeding under Section 24-B of the Orissa Education Act.

6. Having heard learned counsel for the parties and after going

through the records, this Court finds that the petitioner has already received grant-in-aid as well as opposite parties no.4 and 5. But he claimed seniority over and above opposite parties no.4 and 5 and on the other hand contended that opposite parties no.4 and 5 are not entitled to grant-in-aid, as has been paid to them. Since dispute revolves round with regard to sanction of grant-in-aid between the petitioner vis-à-vis opposite parties no.4 and 5, the petitioner is permitted to pursue his remedy before the appropriate forum under Section 24-B of the Orissa Education Act in accordance with law.

7. The writ petition is accordingly disposed of.

Ashok



(DR. B.R. SARANGI)
JUDGE