

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34375 of 2022

***Governing Body of Sanatan
Surabharati Sanskrit Higher
Secondary School, Mayurbhanj***

....

Petitioner

Mr.K.K.Swain, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.B.P.Tripathy, AGA

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

19.12.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Additional Government Advocate.
3. The Petitioner has filed the present writ application with the following prayer:

“ Under the above circumstances, it is humbly prayed that the writ petition may be allowed;

A) A writ of mandamus or an appropriate writ may be issued commanding the opposite parties to antedate the permission and recognition in respect of the Petitioner-institution fro the academic session 2008-09 instead of 2014-15 with all consequential benefits as the Petitioner-institution has fulfilled the eligibility conditions enumerated under sections 5 & 6 of the Odisha Education Act, 1969 as it has got land, building, infrastructure, qualified staff and other amenities, within a tie to be stipulated by this Hon’ble Court;

B) And any other order/orders or direction/directions may be issued so as to give complete relief to the Petitioner;

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 Director, Higher Secondary Education, Odisha, Bhubaneswar, Opposite Party No.1, under Annexure-5. 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.1 to consider the representation of the Petitioner under Annexure-5 within a stipulated period of time.

5. Learned Additional Government Advocate submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.1, 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.1 to consider the representation of the Petitioner under Annexure-5 in accordance with law within a period of two months from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner under Annexure-5 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.

RKS

(A.K. Mohapatra)
Judge