

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.40678 OF 2021

Ratna Manjari Rana

....

Petitioner

Mr. Banabihari Ray, *Advocate*

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Sangram Jena, *Standing Counsel*

S & M E

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.01.2022

Order No.

- 01.
1. This matter is taken up through Video Conferencing mode.
 2. The Petitioner, who is a teaching staff of Aided School has filed the present writ petition seeking for a direction to the Opposite Parties to treat the petitioner at par with the employees of other aided educational institutions who were extended with grant-in-aid in accordance with Grant-in-Aid Order, 1994 and accordingly to extend all benefits as applicable to the Aided Educational Institution within the meaning of Section-3(b) of the Orissa Education Act, such as provided under 1977 Rules Pension Rules, though the same facilities and benefits was given to the other institutions which was notified under section 3(b) of the Orissa Education Act pursuant to the Grant-in-Aid Order 1994 keeping in view the ratio decided by this Court in case of Ritanjali Giri @ Paul –vrs-.State of Orissa and others reported in 2016 (I) ILR CUT 1162.
 3. Learned counsel for the Petitioner placed reliance on another

judgment of this Court in the case of ***Prasanta Kumar Mohapatra & others*** (W.P.(C) No.23312 of 2020 disposed of on 28.09.2021) and in the case of ***Sarangadhar Sahoo and others*** (W.P.(C) No.29342 of 2021).

4. Without going into merits of the case at this stage, this Court remits the matter back to the Opposite Party Nos.1 & 2 to consider the case of the Petitioner in the light of judgments referred to hereinabove.

5. It is needless to mention here that if the Petitioner is covered under the aforesaid judgments and is entitled to any benefit under such Rules, the same be promptly calculated and be paid to her within a stipulated time.

6. Let a certified copy of this order be produced before the Opposite Party Nos. 1 & 2 within a period of two weeks hence and the Opposite Party Nos.1 & 2 shall do well to take a decision in the matter within a period of three months thereafter and the decision so taken be communicated to the Petitioner within a period of two weeks from the date of such decision.

7. It is made clear that the Court has not expressed any opinion on the merits of the case.

8. With the aforesaid observations, the writ petition is disposed of.

9. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in

the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Office Order dated 7th January, 2022.

RKS

(A.K. Mohapatra)
Judge

