

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41777 OF 2021

Ashok Kumar Mohanty and others *Petitioners*
Mr. K.K.Swain, Advocate

-versus-

State of Odisha and others *Opp. Parties*
Mr. Sangram Jena,
Standing Counsel for S & ME

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

06.01.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).
2. The Petitioners, who are teaching and non-teaching staff of Aided School have filed the present writ petition seeking for a direction to the Opposite Parties to allow the petitioners to avail the leave benefits under the Orissa Education (Leave of Teachers and other members of the staff of Aided Educational Institutions) Rules, 1977, retiral and pensionary benefits under the Orissa Aided Educational Institutions Employees Retirement Benefits Rules 1981 and G.P.F. under the Orissa Aided Educational Institutions Employees General Provide Funds Rules 1983 keeping in view the ratio decided in the case of **Ritanjali Giri @ Paul –vrs.-State of Orissa and others** reported in **2016(I) ILR-CUT-1162**.
3. Learned counsel for the Petitioners 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 Petitioners in the light of judgments referred to hereinabove.

5. It is needless to mention here that if the Petitioners are covered under the aforesaid judgments and are entitled to any benefit under such Rules, the same be promptly calculated and be paid to them 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 Petitioners 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. Urgent certified copy of this order be granted on proper application.

RKS

(*A.K. Mohapatra*)
Judge