IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.10134 of 2026

Rama Chandra Parida **.....** ***Petitioner***

Represented by Adv. -
Tushar Kanta Nayak

-versus-

State Of Odisha & Ors. **.....** ***Opposite Parties***

Represented by Adv. -
Mr. U.C.Jena, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **09.04.2026**

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 Standing Counsel for the State-Opposite Parties. Perused the writ application as well as the prayer made therein.

3. The Petitioner has filed the present writ application with the following prayer:

> *"Under the above circumstances, it is therefore, humbly prayed that this Hon'ble Court may graciously be pleased to issue a writ in the nature of writ of Mandamus or any other appropriate writ / writs to quash the rejection Order No.27585 dated 29.10.2025 under Annexure-1 passed by the Director, Secondary Education. Odisha, Bhubaneswar- Opposite Party No.2 and further issue a direction to the Opposite Party No.l-Commissioner-cum-Secretary, School and Mass Education Department to approve the service of the*

Petitioner as untrained scale of pay w.e.f. 07.06.1994 to 05.07.2009 and release the arrear salary with consequential service and financial benefits.

And / Or to pass any further order / order or direction /directions as this Hon'ble Court deems fit and proper in the facts and circumstances of the case."

4. Learned counsel for the Petitioner at the outset contended that the Petitioner had earlier approached this Court by filing WPC(OAC) No.1293 of 2018 which was disposed of by a Co-ordinate Bench of this Court vide order dated 15.04.2025 thereby quashing the order dated 22.07.2017 passed by the Opposite Party No.2-Director, Secondary Education, Bhubaneswar. Learned counsel for the Petitioner referring to letter dated 29.10.2025 at Annexure-9 contended before this Court that though after disposal of the earlier writ application the Petitioner approached the Opposite Party No.2-Director, Secondary Education, Bhubaneswar, however, the prayer of the Petitioner has been rejected by virtue of the impugned rejection letter dated 29.10.2025 at Annexure-9 on the ground that the Director lacks jurisdiction and authority to take decision with regard to the claim made by the Petitioner. Learned counsel for the Petitioner further submitted that similar benefits have been extended in favour of similarly situated persons and, in the aforesaid context, the attention of this Court was drawn to letter dated 06.01.2026 of the Additional Secretary to Govt. at Annexure-12 series. On such ground, learned counsel for the Petitioner contended that the Opposite Parties be directed to extend similar benefit in favour of the Petitioner as has been

done in favour of the similarly situated persons vide letter dated 06.01.2026.

5. Learned counsel for the State on the other hand contended that although he has no specific instruction in the matter, however taking into consideration the impugned rejection order at Annexure-9 and the finding of the Director Secondary Education, he will have no objection in the event this Court grants liberty to the Petitioner to approach the Government for consideration of his claim in accordance with law within a stipulated period of time.

6. Considering such submissions made by the learned counsels appearing from both sides, on a careful examination of the documents on record, further taking note of the impugned rejection order dated 29.10.2025, this Court is of the prima facie view that the claim of the Petitioner has not been duly considered on its own merit as has directed earlier by a Co-ordinate Bench vide order dated 15.04.2025. In such view of the matter, the impugned order under Annexure-9 dated 29.10.2025 is hereby quashed. Accordingly, the present writ application is being disposed of by granting liberty to the Petitioner to approach the Opposite Party No.1-Commissioner-cum-Secretary School & Mass Education Department, Bhubaneswar, Odisha by filing a fresh detailed representation taking therein all the grounds along with all supporting documents within a period of three weeks. In such eventuality, the Opposite Party No.1 shall consider the claim of the Petitioner, by taking note of the fact

that similar benefits have already been extended in favour of the similarly situated employees and dispose of such representation by passing a speaking and reasoned order within eight weeks thereafter. The final decision so taken be communicated to the Petitioner within ten days thereafter.

7. With the aforesaid observations and directions, the writ application stands disposed of.

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

(A.K. Mohapatra)

Judge

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Signature Not Verified
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Signed by: RUBI BEHERA
Reason: Authentication
Location: OHC
Date: 10-Apr-2026 16:25:56