IN THE HIGH COURT OF ORISSA AT CUTTACK
RVWPET No.204 of 2018
(CNR No. ODHC010505782018)

Girija Prasanna Pattnaik …. **Petitioner**
Mr. S.K. Das, Advocate

-Versus-

State of Odisha & others …. **Opposite Parties**
Mr. C.M. Singh, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
09.11.2026
I.A. No. 219 of 2019

Order No.

02. 1. Heard.

2. Instant I.A. is filed seeking delay condonation in terms of Section 5 of the Limitation Act.

3. A delay of eight days is reported as per the S.R.

4. Considering the explanation offered towards such delay and submission of Mr. Das, learned counsel for the petitioner with the State's response noted down, this Court is inclined to condone the same in the interest of justice and accordingly it is ordered.

5. In the result, the I.A. is disposed of with the delay being condoned.

(R.K. Pattanaik)
Judge

03. 1. Heard learned counsel for the respective parties.

2. Instant appeal under Section 24(C) of the Orissa Education Act, 1969 (hereinafter referred to as 'the Act') is filed by the State-appellant challenging the impugned decision in GIA Case No.61 of 2011 of the learned State Education Tribunal on the grounds stated.

3. Recorded the submission of Mr. Singh, learned ASC for the State appellant and also response of Mr. Das, learned counsel for the respondents.

4. In course of hearing, it is brought to the notice of the Court that the services of the respondents stand validated in view of Section 3 of the Odisha Aided Educational Institutions (Appointment of Lecturers Validation) Act, 1998.

5. Mr. Das, learned counsel submits that the validation shall be deemed in view of Section 3 of the Act and subsequent to it, one is entitled to receive Grant-in-Aid towards salary cost in respect of Lecturers, whose appointment so validated is governed by the provisions of Orissa (Non-Government Colleges, Junior Colleges and Higher Secondary Schools) Grant-in-Aid Order, 1994. The claim is that such Grant-in-Aid shall be allowed from commencement of the Act i.e. 17th October, 1998. In support of the contentions advanced by Mr. Das, learned counsel cites the following decisions, such as, **State of Orissa and another Vrs. Pratap Kumar Nayak &**

another 93 (2002) CLT 79 (SC); **Santanu Kumar Mishra Vrs. State of Orissa and others** in O.J.C. No.3132 of 2002 dated 2nd December, 2012; **M/s. Bilkesh Parveen Vrs. State of Orissa & another 2007 (1) OLR-133** and other decisions followed thereafter to contend that the sanction of Grant-in-Aid in favour of the petitioner shall be payable with effect from 17th October, 1998, hence, therefore, considering the same, the learned Tribunal directed it and therefore, such a decision is in accordance with law and hence, is not liable to be interfered with.

6. Recorded the submission of Mr. Singh, learned ASC for the State challenging the impugned decision in GIA Case No.61 of 2011.

7. Considering the decision in **M/s. Bilkesh Parveen** (supra) and the fact that the same has been confirmed by the Apex Court and also **Santanu Kumar Mishra** (supra) and having regard to the other decisions cited including **State of Odisha Vrs. Rajalaxmi Swain & another** in FAO No.69 of 2017 disposed of dealing with an identical case, this Court finds that there has been no any wrong or error committed by the learned Tribunal while directing validation of service of the petitioner against the post of Lecturer in Political Science under the Act and towards release of Grant-in-Aid in his favour modifying the impugned decision as at Annexure-1 payable with effect from 17th October, 1998. This Court is inclined to reiterate the view expressed earlier and having regard to the

fact that the decision in **M/s. Bilkesh Parveen** (supra) has been upheld by the Apex Court and hence, the conclusion is that the impugned decision in GIA Case No.61 of 2011 calls for no interference and accordingly, it is ordered.

8. In the result, the appeal stands dismissed.

9. Issue urgent copy of this order as per rules.

(R.K. Pattanaik)
Judge

Balaram

Signature Not Verified
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Signed by: BALARAM BEHERA
Reason: Authentication
Location: OHC, CUTTACK
Date: 13-Nov-2026 18:08:07