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Location: High Court of Orissa, Cuttack
Date: 29-Oct-2026 10:46:36

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 23902 of 2026
CNR No. ODHC010543902026

Smruti Ranjan Nayak and others .... **Petitioners**
Mr. S.P. Jena, Advocate

-Versus-

State of Odisha & Others .... **Opposite Parties**
Mr. S.B. Panda, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
28.10.2026

Order No.

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

2. Instant writ petition is filed by the petitioners challenging the impugned rejection order dated 8th June, 2026 as at Annexure-7 and to direct the opposite parties to appoint them in terms of the judgment in W.P.(C) No.32208 of 2023 and batch of cases as at Annexure-5 on the grounds stated.

3. Referring to the guidelines issued by the Government in School & Mass Education Department as at Annexure-1, Mr. Jena, learned counsel for the petitioners would submit that the age relaxation is fixed to 32 years and the same was challenged in W.P.(C) No.32208 of 2023 (**Dhaneswar Das & others Vrs. State of Odisha & others**) and batch of cases disposed of on 19th December, 2025 with a direction to consider the appointment of the petitioners therein as against unfilled vacancies of the year, 2014, in the manner as was directed in

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Babita Satpathy Vrs. State of Odisha, 2020 SCC OnLine Ori 921. The further submission is that the petitioners approached this Court in W.P.(C) No.8167 of 2026 disposed of on 19th February, 2026 with the similar direction issued therein to consider their engagement in terms of the decisions in **Dhaneswar Das** and **Babita Satpathy** (supra) but it was followed by a rejection order on the premise that the age relaxation is not permissible, but the submission is that they may be accommodated against the unfilled vacancies like in the cases (supra).

4. Recorded the submission of Mr. Panda, learned AGA for the State.

5. The Resolution dated 26th December, 2016 at Annexure-1 was challenged in **Dhaneswar Das** (supra) but it was not tinkered with, however, a direction was given to appoint the petitioners therein against unfilled vacancies of 2014 and similar relief is sought for by the petitioners but on the ground that there can be no relaxation, opposite party No.1 rejected the said plea for engagement as Sikhya Sahayaks. Having regard to the fact that the decision in **Dhaneswar Das** (supra) has attained finality and as such the petitioners do not demand for relaxation of age but their appointments against unfilled vacancies, this Court, recording the submission of Mr. Panda, learned AGA for the State, is inclined to direct opposite party No.1 accordingly to consider such appointments in terms

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thereof and also in **Babita Satpathy** (supra) within a stipulated period of time.

6. Accordingly, it is ordered.

7. In the result, the writ petition stands disposed of with the direction as aforesaid for compliance by opposite party No.1 soon after receiving a copy of this order preferably within a period of six weeks from the date of the communication is received.

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

(R.K. Pattanaik)
Judge

Madhu