IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.36370 of 2026
(CNR No.ODHC010834142026)

Reetarani Pujari and others …. **Petitioners**

Mr. S. Rajguru, Advocate

-Versus-

State of Odisha and others …. **Opposite Parties**

Mr. B.P. Nayak, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
25.11.2026

Order No.

01. 1. Heard Mr. Rajguru, learned counsel for the petitioners and Mr. Nayak, learned AGA for the State.

2. Instant writ petition has been filed by the petitioners for a direction to opposite party Nos.1 & 2 to notify the petitioners college as an Aided College under Orissa (Non-Government Colleges, Junior Colleges and Higher Secondary Schools) Grant-in-Aid Order 1994 and approve their appointment under 1994 Grant-in-Aid by modifying approval orders dated 28th July, 2011 and 27th October, 2025 by the State Government and the order of approval dated 17th June, 2011 and 7th October, 2013 issued by opposite party No.3 under Annexure-5 series in terms of the judgment of this Court in FAO No.509 of 2014 disposed of on 19.3.2025 (**State of Odisha and another Vrs. Ratnakar Mohapatra and another** along with batch of cases)

upheld by the Apex Court by order dated 25.3.2026 while dismissing SLP(Civil) Diary No.6943 of 2026 and to grant all consequential service benefits within a stipulated period.

3. Mr. Rajguru, learned counsel submits that the petitioners are the staff of the petitioners college are entitled to the Grant-in-Aid under GIA Order, 1994 since their proposal was submitted prior to the repealing of the same in the year 2004. Referring to the judgment in **Ratnakar Mohapatra** (supra), Mr. Rajguru, learned counsel further submits that the decision in **State of Odisha and another Vrs. Anup Kumar Senapati and another (2019) 19 SCC 626** is held to be not a bar to extend such benefits to the employees/Institutions in terms of GIA Order, 1994 and the same has been upheld by the Apex Court. Mr. Rajguru, learned counsel produced a copy of the order passed in SLP(C) Diary No(s).6943 of 2026 for Court's perusal. The submission of Mr. Rajguru, learned counsel is that on the basis of the decision in **Ratnakar Mohapatra** (supra), similar benefit has been extended to others in WP(C) No.21651 of 2026 disposed of by order dated 15.7.2026.

4. For the submission that in the absence of any bar as held in **Ratnakar Mohapatra** (supra) and affirmed by the Apex Court even after the decision in **Anup Kumar Senapati** (supra) entertaining review and curative petitions thereafter, this Court, recording the submission of Mr. Nayak, learned AGA for the State, is inclined to direct the petitioners to submit

a representation before opposite party No.2 for its consideration and disposal keeping in view the settled position of law followed by a reasoned order at the earliest soon after receiving a copy of the order.

5. In the result, the writ petition stands disposed of with a direction to the opposite party No.2 to take a decision on the representation filed within a fortnight from today and to pass an order thereon preferably within a period of four weeks from the date of receipt of a copy of this order keeping in view the discussions made hereinabove with reference to the decision in **Ratnakar Mohapatra** (supra).

6. A copy of the order be handed over to the learned counsel for the State for intimation and compliance.

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

(R.K. Pattanaik)
Judge

Alok

Signature Not Verified
Digitally Signed
Signed by: ALOK RANJAN SETHY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 26-Nov-2026 20:04:24