IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.36449 of 2026
(CNR No. ODHC010851452026)

Minati Kumari Malla …. **Petitioner**
Mr. D.N. Rath, Advocate

-Versus-

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

Mr. Subha Bikash Panda, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
04.11.2026

Order No.

01. 1. Heard Mr. Rath, learned counsel for the petitioner and Mr. Panda, learned AGA for the State.

2. Instant writ petition is filed by the petitioner challenging the final gradation list dated 25th August, 2026 issued by opposite party No.3 under Annexure-14 and to recast the same exempting her from passing of the OTET considering the show cause reply as at Annexure-13 series in response to Annexure-12 followed by Annexure-14 on the grounds stated.

3. Mr. Rath, learned counsel submits that the petitioner received appointment order in the year 1997 as made to reveal from Annexure-2 and promoted to Level-V(B)(II) Teachers by office order vide Annexure-3 dated 16th September, 2020 and received further promotion to Level-IV Graduate Teachers as per Annexure-4. The submission of Mr. Rath, learned counsel is that in the meanwhile, a show cause notice was issued to the petitioner vide Annexure-12 alleging therein that she cleared

the CT and BA Examinations at the same time. Mr. Rath, learned counsel refers to Annexure-13 series to claim that the petitioner responded to such notice with a reply claiming that she cleared the CT Examination in 1994, however, had appeared it in 1991 and BA Examination in 1995 and thus, there was a clear gap of four years in between but without considering such response, it has been followed by Annexure-14 and hence, necessary direction is required to be issued to opposite party No.4.

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

5. As per the explanation offered by the petitioner, she took admission in CT in the year 1988 as a private candidate and cleared the examination conducted by the Board of Secondary Education Odisha in 1991 but unfortunately failed in that examination and appeared again and ultimately cleared it 1994 and in so far as the BA Examination is concerned, she pursued it as a regular candidate under Utkal University and passed the examination in 1995. With such a response received from the petitioner as made to reveal from Annexure-13 series, this Court recording the submission of Mr. Rath, learned counsel that no decision has been taken thereon dealing with the show cause reply by opposite party No.4 and instead, it has been followed by Annexure-14, a direction is required to be issued to her to pass appropriate order after providing an

opportunity of hearing before considering any such promotion to the next higher level and accordingly, it is ordered.

6. In the result, the writ petition stands disposed of with the direction as aforesaid. It is further directed that opposite party No.4 shall, taking into account the show cause reply of the petitioner as at Annexure-13 series and after providing an opportunity of hearing to her, consider recast of the final gradation list of Level-IV Graduate Teachers as at Annexure-14 by a decision with a reasoned order at the earliest preferably within a period of six weeks from the date of receipt of a copy of this order and in compliance of the direction hereinabove and for the said purpose, she shall appear before the said Authority on 11th November, 2026 at 11.00 AM to receive further orders.

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

(R.K. Pattanaik)
Judge

Tudu

Signature Not Verified
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Signed by: THAKURDAS TUDU
Reason: Authentication
Location: OHC,CTC
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