**IN THE HIGH COURT OF ORISSA AT CUTTACK**
**W.P.(C) No.36501 of 2026**
**(CNR No. ODHC010862542026)**

**Mishra Bhoina** …. **Petitioner**
Mr. S.K. Mishra, Advocate

-Versus-

**State of Odisha and others** …. **Opposite Parties**
Mrs. Siva Mohanty, ASC

**CORAM:**
**MR. JUSTICE R.K. PATTANAIK**

**ORDER**
**05.11.2026**

**Order No.**

01. 1. Heard Mr. Mishra, learned counsel for the petitioner and Mrs. Mohanty, learned ASC for the State.

2. Instant writ petition has been filed by the petitioner for consideration of his reinstatement in the former post with all service and financial benefits granted to him in view of the Apex Court's decision in **Ram Lal Vrs. State of Rajasthan and others (2024) 1 SCC 175** and on such other grounds stated.

3. It is submitted that the petitioner was engaged vide Annexure-1 as a Gana Sikshyak and thereafter was served with a show cause as per Annexure-4 with the allegation that he submitted a fake OTET Certificate and it was followed by the order dated 18th January, 2021 at Annexure-6. Mr. Mishra, learned counsel would further submit that the petitioner approached this Court in W.P.(C) No.2332 of 2025 disposed of on 27th January, 2025 vide Annexure-7 for consideration of his

plea for reinstatement in view of the decision in **Laxman Rana Vrs. State of Odisha and others** in W.P.(C) No.5345 of 2021. The submission is that the petitioner's request for reinstatement is still pending despite the fact that he has passed the OTET Examination and in the meantime, acquitted of the charges levelled with the disposal of CT Case No.60 of 2021 by judgment dated 19th March, 2026 at Annexure-9. The submission is that in view of the decision in **Pragnya Paramita Swain Vrs. State of Odisha and others** and **Sandhyarani Pallauri Vrs. State of Odisha and others** in W.P.(C) Nos.6795 and 12944 of 2025 and decision of **Ram Lal** (supra), **Nelson Bada Vrs. State of Odisha others** in W.P.(C) No.19487 of 2026 dated 24th July, 2026; **Maharana Pratap Singh Vrs. The State of Bihar and others** in Civil Appeal No.5497 of 2025 dated 23rd April, 2025; and **G.M. Tank Vrs. State of Gujarat and others (2006) 5 SSC 446**, the submission Mr. Mishra, learned counsel is that in view of the clean acquittal of the petitioner, he should be reinstated and in the meantime, with all such grounds put forth, the representation i.e. Annexure-10 received by opposite party No.3 is pending consideration and orders. Recorded the submission of Mr. Bal, learned AGA for the State, according to whom, a counter affidavit is required to be filed. But having regard to the limited grievance of the petitioner for a decision on the representation i.e. Annexure-10 with reference to the case laws and order in W.P.(C) No.2332 of 2025 as at Annexure-7, this Court is inclined to direct opposite party No.3

to examine the same and in case, the judgment at Annexure-9 amounts to an honourable acquittal, to take a decision on his reinstatement followed by an order at the earliest preferably within a period of eight weeks from the date of receipt of a copy of this order and accordingly, it is ordered.

4. In the result, the writ petition stands disposed of with the direction as aforesaid for compliance by opposite party No.3 within the above stipulated period.

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

**(R.K. Pattanaik)**
**Judge**

Narayan

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