



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)No.1841 of 2025

Bidhusmita Kar

....

Petitioner

Mr.S.B. Mohanty, Advocate

-versus-

Union of India & Others

....

Opposite Party

Mr. B.S. Rayaguru, Sr. Panel

Counsel

Mr. P.K. Panda, ASC

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

Order No.

26.03.2025

- 02.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel appearing for the Parties.
3. The Present Writ Petition has been filed inter alia with the following prayer.

It is therefore prayed that, this Hon'ble Court may graciously be pleased:-

i) To Admit the writ petition.

ii) To quash the Clause 5 of the Notification dtd.16.01.2024 issued Odisha School Education Programme Authority (O S E P A) (Annexure-10) regarding non acceptance of Diploma Certificate in Elementary Education) issued by National Institute of Open Schooling (NICS) (An autonomous Institute of NCTE).

iii) Further to quash the rejection notice letter dtd. 26.07.2024 (Annexure-15) issued by the D.E.O.-Cum-D.P.C. Samagra Sikhya, Balasore in respect of the petitioner.

iv) To direct the State Project Director (OSEPA) and D.E.O. Balasore to accept the Diploma Certificate of the petitioner issued by (NIOS) in view of letter of the N.C.T.E. dtd. 06.01.2021 (Annexure-9) and recognized order of the NCTE dtd. 22.09.2017 under (Annexure-6)



of the Writ Petition and the petitioner candidatures be place for zone of consideration in the post of Junior Teacher (Schematic) 2023 Category-1 and result be published there on., in view of order of the Hon'ble Supreme Court dtd.10.12.2024 passed in Review Petition 4961/2024 (Out of Civil Appeal 7873/2023) and consequential appointment order be issued for ends of justice.

And may pass any other order(s)/direction(s) as deem fit and proper in the interest of justice.

4. In course of hearing, learned counsel for the Petitioner contended that the ground of rejection of the Petitioner's application is no more sustainable in view of the decision rendered by the Hon'ble Apex Court in Review Petition No.4961 of 2024 under Annexure-14 and subsequent clarification issued by the NCTE on 27.01.2025.

5. Learned Addl. Standing Counsel on the other hand contended if the issue has been decided as contended, let Petitioner apprise the same to the concerned authority for re-consideration of her application.

6. Having heard learned counsel for the parties and considering the submission made, this Court while disposing the Writ Petition grants liberty to move Opp. party No.5 for reconsideration of the Petitioner's claim.

7. It is observed that while taking such a decision, relevancy and effect of the order passed by the Apex Court in the Review Petition and clarification issued by the NCTE shall be taken into consideration.

8. The Writ Petition accordingly stands disposed of.

Signature Not Verified

Digitally Signed
Signed by: SANGITA PATRA
Reason: authentication of order
Location: high court of orissa, cuttack
Date: 04-Apr-2025 11:25:45



Sangita

(Biraja Prasanna Satapathy)
Judge