



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.9774 of 2026

Madhumita Panda

.....

Petitioner

Represented by Adv. –
M/s. Biren Sankar
Tripathy

-versus-

State of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. –
D.K. Sahoo, A.G.A.

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

31.03.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel appearing for the Petitioner as well as learned Additional Government Advocate appearing for the State-Opposite Parties. Perused the writ application as well as the documents annexed thereto.
3. The Petitioner has filed the present writ application with the following prayer:

“The petitioner, therefore, most respectfully prays that your Lordship may graciously be pleased to admit this writ application and issue rule NISI to the OPs to show cause as to why they shall not be directed to consider the case of the petitioner for approval of her appointment in the post of Asst. Teacher as against sanctioned post and release grant in aid in her favour



within a stipulated period;

And on their failing to show cause or showing insufficient cause, the said rule be made absolute;

And pass such further orders as may be deemed fit and proper in the facts and circumstances of the case.”

4. The factual background reading to filing the present writ application in short is that the school in question was recognized vide office order dated 30.03.2008 pursuant to office order dated 30.06.2006 at Annexure-3. The Petitioner was initially appointed as an Assistant Teacher on 30.03.2008 as per the appointment order at Annexure-1. While this was the position, on 13.04.2011, the school was notified as eligible to receive grant-in-aid (Block Grant) as per the order at Annexure-4 to the writ application. On 08.02.2022, the Petitioner submitted a representation before the Opposite Party No.1 with a prayer for acceptance of her candidature as an in-service candidate for appointment as Assistant Teacher under Section post in Budhadev Bidyapitha, Hikimput in the district of Koraput.

5. Learned counsel for the Petitioner further contended that since no action was taken on the representation of the Petitioner, the Petitioner was compelled to approach this court by filing W.P.(C) No.6631 of 2023. A coordinate bench of this court vide order dated 06.03.2023 disposed of the writ application with a direction to the Opposite Party No.1 to consider the representation of the Petitioner within a stipulated period of time and in accordance with law. While this was the position, the BEO, Nandapur submitted a factual report to the DEO, Koraput on 10.09.2024. On 29.05.2025, the Director, Elementary Education, Opposite Party No.2 directed the Opposite Party No.3 to submit



certain documents/ information with respect to the present Petitioner. Learned counsel for the Petitioner at this juncture contended that although a specific direction was given in the earlier writ application by a coordinate bench of this court to consider the case of the petitioner, however, no decision has been taken by the Opposite Parties. Being aggrieved by the inaction of the Opposite Parties, the Petitioner has approached this court by filing the present writ application.

6. In course of her argument, Learned counsel for the Petitioner referred to the letter at Annexure-9 of the BEO, Nandapur, Opposite Party No.4. Referring to the aforesaid letter, learned counsel for the Petitioner contended that the BEO has informed the DEO, Opposite Party No.3 that the present Petitioner has obtained B.Ed degree from Sri Venkateswara University on 08.01.2022 and that she has submitted representation for consideration as a teacher under the Grant-in-Aid and the letter further reveals that such representation has been duly forwarded to the office of Opposite Party No.3 for consideration. Further contended that despite such communication by the Opposite Party No.4 to the Opposite Party No.3, no final steps have been taken. Being aggrieved by the conduct of the Opposite Parties, the Petitioner has approached this court with a prayer for a direction to the Opposite Parties as has been indicated in the prayer of the present writ application.

7. Learned counsel for the State on the other hand contended that although he has no specific instruction in the matter, however on a careful examination of the documents annexed to the writ application as well as the pleadings in the writ petition, it appears that the case of the Petitioner is still pending before the Opposite



Parties for consideration. In such view of the matter, learned counsel for the State contended that the present writ application is premature. He further submitted that in the event this court directs the Opposite Party No.3 to take a final decision in the matter strictly in accordance with the rules/ guidelines within a stipulated period of time, he will have no objection to the same.

8. Having regard to the submissions made by counsels appearing for the respective parties, on a careful examination of the background facts as well as the materials on record, further taking into consideration the nature of the grievance involved in the present writ application, this Court deems it proper to dispose of the writ petition at the stage of admission by directing the Opposite Party No.3 to consider the representation of the Petitioner which is stated to be pending before him and as is evident from the letter of the Opposite Party No.4 dated 16.06.2025 at Annexure-9 and communicate the final decision to the Opposite Party No.4 as well as to the Petitioner within a period of eight weeks from the date of communication of a copy of today's order.

9. With the aforesaid observation/ direction, the writ application stands disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Anil