



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.9216 of 2026

Banabihari Patra

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Petitioner

Represented by Adv. -
Ajaya Kumar Tripathy

-versus-

State Of Orissa & Ors.

.....

Opposite Parties

Represented by Adv. -
Ms. S.Nayak, A.S.C.

CORAM:

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

ORDER

Order No.

26.03.2026

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

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

i) Admit the writ application;

ii) Call for the records;

iii) Issue a writ of Mandamus directing the Opp. Parties, more particularly Opp, Party No.1 to take a decision on the representation filed by the petitioner under Annexure – 7 keeping in view the decision taken in the High Level Meeting under Annexure-3 series and the Govt. letter under Annexure-6 series with regard to the



up-gradation of the post of Science teacher (TI) to the status of (TGT) the post of B.Sc. B.Ed. Science teachers at par with trained graduate Science Teacher of the High Schools in view of same courses of studies and identical discharge of duties rendered by the petitioner with requisite qualification to hold such posts in respect of Madhayama Sanskrit Institution within a stipulated time.

And/or pass such other order/orders, direction/directions as this Hon'ble Court may think fit and proper for the ends of justice;”

4. Learned counsel for the Petitioner at the outset contended that the Petitioner was initially appointed as an Assistant Teacher with B.Sc., B.Ed. qualification on 10.08.1990 which was approved w.e.f. 26.04.1997 vide order of Superintendent of Sanskrit Studies, Odisha, at Annexure-1 to the writ application. He further contended that in a high-level meeting held on 12.08.2011, a decision was taken to upgrade the Science Post to the B.Sc., B.Ed. status. Accordingly, by virtue of order dated 16.07.2013 of the Director of Secondary Education, Odisha all DEOs in the State upgraded and created a TGT Science Post. Learned counsel for the Petitioner at this juncture contended that although the Petitioner is having TGT qualification, however, he has been given appointment to a TM/TI post and he is getting the pay scale attached to such post. He further submitted that although the Petitioner is eligible for being appointment to a TGT Posts and in fact he has been discharging his duties in a TGT Post, however, he is not getting the pay scale attached to such posts. Being aggrieved by such inaction of the Opposite Parties, the Petitioner has already approached the Opposite Party



No.1 by filing a detailed representation dated 21.03.2025, at Annexure-7 to the writ application. Since no final decision has been taken on such representation of the Petitioner, the Petitioner has approached this Court by filing the present writ application.

5. Learned counsel for the State on the other hand contended that although she has no specific instruction in the matter, however, on a close scrutiny of the pleadings in the writ application, as well as the documents annexed to the writ application, it appears that the Petitioner has already approached the Opposite Party No.1 for redressal of his grievance by filing a representation dated 21.03.2025 at Annexure-7. He further contended that in the event no final decision has been taken on the representation of the Petitioner at Annexure-7, she will have no objection if this Court directs the Opposite Party No.1 to consider and dispose of the representation of the Petitioner strictly in accordance with the law and within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party No.1 to consider the representation of the Petitioner dated 21.03.2025, under Annexure-7, keeping in view of under Annexures-3 & 6 within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner under



Annexure-7 by passing a speaking and reasoned order. The decision so taken by the Opposite Party No.1 be also communicated to the Petitioner within ten days thereafter.

7. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)

Judge

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