



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.9051 of 2026

Nibedita Sethi

.....

Petitioner

Represented by Adv. -
Sushanta Kumar Joshi

-versus-

State Of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. –
Mr. S.K.Parhi, A.S.C.

CORAM:

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

ORDER

Order No.

25.03.2026

- 03.
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:

“Under the above circumstances, it is therefore humbly prayed that the Hon'ble Court be graciously pleased to admit the writ petition, call for records and hearing the parties direct OP No. 4 the District screening Committee under the DEO Khurdha to take a decision pursuant to Letter No 8463 dtd 02.04.24 issue by OP No. 2 to allow her to discharge her duty as TGT Arts and takes steps for regulation of service and grant of consequential service benefits within a stipulated period as deem fit and proper.



And pass any other order/orders, direction/directions as this Hon'ble Court may deem just and proper.”

4. Learned counsel for the Petitioner at the outset contended that ventilating his grievance the Petitioner had earlier approached this Court by filing W.P.(C) No.39801 of 2021. A Coordinate Bench of this Court vide order dated 06.04.2023 disposed of writ application directing the Opposite Party No.4, i.e. D.E.O., Khordha to decide the dispute after providing an opportunity of hearing to the Petitioner. After disposal of the said writ application, the Petitioner approached the Opposite Party No.4 by filing a detailed representation along with a copy of order dated 06.04.2023. The Opposite Party No.4, after providing an opportunity of hearing as directed by the Coordinate Bench vide order dated 06.04.2023 has rejected the claim of the Petitioner.

5. Being aggrieved by the aforesaid order dated 29.04.2023 at Annexure-11, the Petitioner approach the Director Secondary Education, Odisha, who happens to be an Appellate Authority, by filing an appeal. The Director Secondary Education, Odisha-Opposite Party No.2 vide order dated 02.04.2024 at Annexure-12 allowed the appeal and remanded the matter to the D.E.O., Khordha-Opposite Party No.4 with a further direction to reconsider the case of the Petitioner in accordance with the rules.

6. The grievance of the Petitioner in the present writ application is that although the matter was remanded to the



D.E.O., Khordha-Opposite Party No.4 by the Appellate Authority of Opposite Party No.2 for reconsideration of the case of the Petitioner in terms of the rules, however, till now no final decision has been taken with regard to the grievance of the present Petitioner. Such inaction the Opposite Party No.4 has compelled the Petitioner to approach this Court by filing 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 perusal of the order dated 02.04.2024 at Annexure-12, it appears that the grievance of the Petitioner was adjudicated in the appeal by the Director Secondary Education, Odisha-Opposite Party No.2 and vide order dated 02.04.2024, the Opposite Party No.2 has remanded the matter to the Opposite Party No.4 for fresh consideration in accordance with rules. In such view of the matter, learned counsel for the State contended that he will have no objection if this Court directs the Opposite Party No.4 to consider the grievance of the Petitioner in accordance with the rules and applicable law within a stipulated period of time.

8. Having heard the learned counsels appearing for the respective parties, on a careful examination of the background facts, further on a close scrutiny of the order at Annexures-10, 11 & 12, this Court is of the view that the grievance of the Petitioner is still pending before the Opposite Party No.4 for adjudication. As such, the present writ application is being



disposed of at this stage by directing the Opposite Party No.4 to consider the grievance of the Petitioner as directed by the Appellate Authority vide order dated 02.04.2024 at Annexure-12, if the same has not been already disposed of in the meantime, within a period of eight weeks by passing a speaking and reasoned order. The final order so passed be communicated to the Petitioner within ten days thereafter. It is open to the Petitioner to raise any other grounds before the Opposite Party No.4 at the time of consideration of his grievance pursuant to the order at Annexure-12 to the writ application.

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

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

(A.K. Mohapatra)

Judge

Rubi