



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10867 of 2026

Anupama Das

.....

Petitioner

Represented By Adv. –
Mr. Subhadutta Routray

-versus-

State of Odisha and others

.....

Opposite Parties

Represented By Adv. –
Mr. C.M. Singh, ASC

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

Order No.

ORDER

07.05.2026

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1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
 2. Heard the learned counsel for the Petitioner as well as the learned counsel for the State-Opposite Parties. Perused the writ petition as well as the documents annexed thereto.
 3. By filing the present writ petition, the Petitioner has sought for the following reliefs:-

“It is therefore, most humbly prayed that this Hon'ble Court be graciously pleased to:

- i) Admit the writ application.
- ii) Call for the record.
- iii) Issue a writ in the nature of mandamus or any other writ/writs, direction/directions directing the Opp. Parties more particularly Opp. No.3 to approve the appointment of the



petitioner as Principal-in-charge pursuant to the proposal dated 22.01.2026 under Annexure-4 in terms of the clarification dated 16.09.2025 issued by Opp. Party No.2 under Annexure-10 within a stipulated time to be fixed by the Hon'ble Court.

iv) And/or pass any other order/orders, direction/directions as this Hon'ble Court deems fit and proper for the ends of justice.”

4. Learned counsel for the Petitioner, at the outset, contended that challenging the inaction of the Opposite Parties in appointing the senior most teaching faculty as the Principal-in-Charge in the institution in question, the Petitioner has approached this Court by filing the present writ petition. In course of his argument, learned counsel for the Petitioner drawing attention of this Court to the letter dated 22.01.2026 at Annexure-4, submitted that the outgoing Principal has already recommended the name of the senior most teaching faculty to be appointed as the Principal In-Charge of the college in question. However, such proposal has not been seriously considered by the Director, Higher Secondary Education Department, Odisha, Bhubaneswar, Opposite Party No.3. He further contended that although the Petitioner has been discharging his duty as the Principal In-Charge of the institution in question, in the absence of approval by the Opposite Party No.3, she is unable to exercise the financial power vested in the Principal In-Charge.

5. Learned counsel for the State, on the basis of the



instruction dated 06.05.2026 of the Department of Higher Education, Odisha, submitted before this Court that the position with regard to appointment of the Principal In-Charge has been clarified by the Government time and again. In the instruction they have reiterated the position as has been clarified by Higher Education Department in its letter dated 17.12.2024. It is not disputed by the learned counsel for the State that as per the policy decision of the Government and in view of the provisions contained in the relevant rules, the senior most teaching faculty is to be appointed as Principal In-Charge subject to the incumbent being free from any disciplinary or criminal proceeding. Moreover, the *inter se* seniority among the teaching faculty is to be determined on the basis of their date of joining. The instruction further reveals that the Higher Education Department has no locus standi in the matter, except to the limited extent of issuing clarifications indicating the procedure for assignment of charge of Principal In-Charge

6. Keeping in view the submission made by the learned counsel for the Petitioner as well as the learned Additional Standing Counsel appearing for the State-Opposite Parties, further taking into consideration the documents annexed to the writ petition, as well as the instruction dated 06.05.2026, this Court deems it proper to dispose of the writ petition by directing the Opposite Party No.3 to reconsider the whole issue again in terms of the Higher Education Department letter No.50839 dated 17.12.2024 as well as the letter dated



16.09.2025 strictly in terms of the seniority, subject to their eligibility. Let the final decision be taken within a period of four weeks from the date of communication of this order. Such final decision be communicated to the all concerned expeditiously.

7. With the aforesaid observation and direction, the writ petition stands disposed of.

(Aditya Kumar Mohapatra)
Judge

Debasis