



IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.332 of 2026

Basanta Kumar Nayak

.....

Appellant

Represented by Adv. –
Mr. Aurobinda Sahoo

-versus-

State of Odisha and others

.....

Respondents

Represented by Adv. –
Mr. U.C. Jena, ASC

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

21.05.2026

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard the learned counsel for the Appellant as well as learned Additional Standing Counsel for the State-Respondents. Perused the appeal as well as the impugned order of the learned State Education Tribunal.
3. The Applicant before the State Education Tribunal has approached this Court by filing the present appeal thereby challenging the order dated 30.09.2019 passed in G.I.A. Case No.44 of 2015.
4. Learned counsel for the Appellant, at the outset, contended



that the subject matter of the dispute in the present appeal is squarely covered by the ratio laid down by a coordinate Bench of this Court in *State of Odisha v. Ratnakar Mohapatra* decided in F.A.O. No.509 of 2014 and batch vide judgment dated 19.03.2025. He further contended that such judgment of the coordinate Bench of this Court has been upheld by the Hon'ble Supreme Court in SLP(C) No.6943 of 2026 vide judgment dated 25.03.2026.

5. Learned counsel for the Respondents, on the other hand, vehemently objected to the prayer made by the Appellant in the present appeal. He further contended that the Appellant was not eligible to get such grant-in-aid and that no such recommendation was made in his favour by the Competent Authority. He further submitted that, in the event, this Court directs the Respondents to re-examine the case of the Appellant with regard to his eligibility and recommendation, as has been directed by the Coordinate Bench in FAO No.509 of 2014 and a batch as well as the Hon'ble Supreme Court in its final judgment, and after such verification to pass necessary consequential order therein, he will have no objection to the same.

6. Considering the submission made by the learned counsels appearing for both the sides, this Court allows the appeal in terms of the judgment dated 19.03.2025 passed by a coordinate Bench of this Court in F.A.O. No.509 of 2014 and batch subject to the condition that the competent authority before applying the aforesaid judgment shall verify the factual background of the present case as well as the eligibility and entitlement of the



Appellant as directed by the Hon'ble Supreme Court of India while deciding SLP(C) No.6943 of 2026 vide order dtd.25.03.2026 and in the event the competent authority comes to a conclusion that the factual background of present case is identical to one involved in F.A.O. No.509 of 2014 and batch and Appellant satisfies the eligibility and entitlement as directed by the coordinate Bench eventually confirmed by the Hon'ble Supreme Court of India, then similar benefits be extended in favour of the present Appellant as has been done in F.A.O. No.509 of 2014.

7. With the aforesaid observation, the F.A.O. stands disposed of.

(A.K. Mohapatra)
Judge

Debasis/utkalika

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Reason: Authentication
Location: ORISSA HIGH COURT
Date: 08-Jul-2026 16:55:33

