



IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.410 of 2026

Saroj Kumar Dash & Ors.

.....

Appellants

Represented by Adv. -
Kunal Kumar Swain

-versus-

State Of Odisha & Ors.

.....

Respondents

Represented by Adv. -
C.M. Singh, A.S.C.

CORAM:

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

ORDER

04.05.2026

Order No.

01.

I.A. No.636 of 2026

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Appellants as well as learned counsel for the State-Respondents.
3. This I.A has been filed by the Appellant-Petitioners seeking condonation of delay.
4. On perusal of the Stamp Report it appears that there is a delay of 2335 days in preferring the appeal before this Court.
5. Considering the grounds taken in the I.A and further keeping in view the fact that in many similar cases, this Court has entertained the condonation delay application and the delay has been condoned, the delay of 2335 days in filing the appeal is hereby condoned, subject to payment of a cost of Rs.2500/-



(Rupees two thousand five hundred) to the Juvenile Justice Fund managed by the Member Secretary, Odisha State Legal Services Authority.

6. Accordingly, the I.A stands allowed.

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7. Heard the learned counsel for the Appellants 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.

8. The Applicant before the State Education Tribunal has approached this Court by filing the present appeal thereby challenging the order dated 04.10.2019 passed in G.I.A. Case No.2500 of 2017.

9. Learned counsel for the Appellants, 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 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.

10. Learned counsel for the Respondents, on the other hand, vehemently objected to the prayer made by the Appellants in the present appeal. He further contended that the Appellants were not eligible to get such grant-in-aid and that no such recommendation was made in their favour by the Competent Authority. He further



submitted that, in the event, this court directs the Respondents to re-examine the case of the Appellants with regard to their 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.

11. 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 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, then similar benefits be extended in favour of the present Appellants as has been done in F.A.O. No.509 of 2014.

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

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified

Digitally Signed
Signed by: ANIL KUMAR SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 07-May-2026 11:32:30

