



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.14097 of 2026

Rojalini Lenka

.....

Petitioner

Represented by Adv. -
Durgesh Narayan Rath

-versus-

State Of Odisha and others

.....

Opposite Parties

Represented by Adv. –

Mr. U.C. Jena, ASC

CORAM:

MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

07.05.2026

Order No.

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 documents annexed thereto.
3. The Petitioner has filed the present writ application with the following prayer:

“Under the above circumstance, it is therefore humbly prayed that this Hon'ble Court may be graciously pleased to issue a writ in the nature of writ of mandamus or any other appropriate writ, direction or order by declaring the action of the opposite parties in not allowing the petitioner to discharge her duty in spite of submission of joining report under Annexure-10 after recovery from ailment, as illegal.

And this Hon'ble Court be further pleased to



direct the opposite parties, more particularly the opposite party no.3 to allow the petitioner to discharge her duty as usual in the post of Lecturer in Education of the opposite party no.3 institution.

And this Hon'ble Court be pleased to pass any further order/order or direction/ directions as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

And for this act of kindness, as in duty bound, the petitioner shall ever pray."

4. Learned counsel for the Petitioner at the outset contended that during Covid period the Petitioner was on leave. Thereafter, she submitted her joining report along with a medical certificate. Learned counsel for the Petitioner drew the attention of this Court to the medical certificate as Annexure-11 to the writ application. He further contended that since no decision was taken by the Managing Committee of the Educational Institution in question, the Petitioner approached the Director of Higher Secondary Education for redressal of her such grievance. The Director- Opposite Party No.2 by virtue of order dated 05.08.2023 directed the Principal in Charge of the Institution to settle the matter at his level after thorough inquiry. However, no decision has been taken by the principal of the institution in question. Being aggrieved by such inaction, the Petitioner has approached this Court by filing the present writ application.

5. Learned counsel for the State on the other hand contended that since the dispute relates to the Aided Educational Institution, the Petitioner has approached the learned State Education Tribunal under the provisions of the Odisha Education Act. Learned counsel for the State contended that the present writ application is not maintainable.



6. Having heard learned counsels appearing for the respective Parties and on a careful examination of the background facts, further taking note of the limited nature of the grievance involved in the present writ application, this Court found that despite submission of the joining report, the Petitioner has not been allowed to join in duty and perform her work, therefore the cause of action continues as no disciplinary action has been taken as of now against the present Petitioner. In such view of the matter, this Court, while disposing of the present writ application, grants liberty to the Petitioner to approach the State Education Tribunal by filing an appropriate application and, in such eventuality, the learned Tribunal shall consider the same in accordance with law and shall make every endeavour to dispose of the same as expeditiously as possible.

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

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Sisir