

**W.P.(C) No. 15609 of 2019**

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**And**

**I.A. No. 12032 of 2019**

06. 30.08.2019            Heard Mr. P.K Satpathy, learned counsel for the petitioners; Mr. D. Vardwaj, learned Standing Counsel for School and Mass Education Department and Mr. P. Mohanty, learned counsel for opposite party no.3-OPEPA.

The petitioners have filed this application seeking to quash the order dated 20.08.2019 passed by the Odisha Primary Education Programme Authority (OPEPA) under Annexure-1 and the resolution no. 6 dated 04.01.2019 under Annexure-2 regarding disengagement of existing P.T.Is. from Upper Primary Schools.

Learned counsel for the petitioners states that in the order dated 20.08.2019, decision has been taken that the Schools, where the enrollment has dropped below 100, PITs are to be disengaged. It is contended that the petitioners have been engaged as PTI in the year 2013 to 2015. Petitioners no. 1 to 16 have completed more than 6 years of service. Petitioners no. 17 to 29 have already completed more than 4 years of service and petitioner no. 30 has joined in the year 2019. It is further contended if the roll strength of the students have been dropped below 100, for that, no responsibility can be attributed to the petitioners, thereby, they should not have been disengaged from service pursuant to Annexure-1 dated 20.08.2019.

This requires consideration.

Issue notice.

Three extra copies of the writ petition be served on Mr. D. Vardwaj, learned Standing Counsel for School and Mass Education Department, who appears for opposite parties no. 1, 2, 4, 5, and 6 and one extra copy of the writ petition be served on Mr. P. Mohanty, learned counsel for opposite party no.3- OPEPA within three days, who shall obtain instruction in the matter or file counter affidavit.

As an interim measure, the order dated 20.08.2019 in Annexure-1 shall remain stayed till 19.09.2019.

Issue urgent certified copy as per rules.

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**Dr. B.R. Sarangi, J.**

***Ajaya***