



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.21469 of 2026

Ashwini Kumar Shee

.....

Petitioners

Represented by Adv.

Ms. J. Biswal

-versus-

State of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. –

Mr. D. K. Sahoo, AGA

CORAM:

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

ORDER

14.07.2026

Order No.

- 01.
1. This matter is taken up through Hybrid mode.
 2. Heard learned counsel for the Petitioners 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 Petitioners have filed the present writ application with the following prayer:

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

 - i) Admit the writ application.*
 - ii) Call for the records.*



iii) Issue a writ in the nature of Mandamus or any other appropriate writ/writs, direction/directions, directing the opposite parties, Particularly Cpp.Party Nos.1 to 3 to extend the service benefits to the employees of the petitioner's institution with effect from 01.06.2001 by treating the petitioner's institution as an aided educational institution under the Grant-in-Aid Order 1994, keeping in view the recommendation made by the Opp. Party No.2 dt.06.11.2003 under Annexure-1, by taking into account the ratio decided by this Hon'ble Court in the case of State of Odisha & another Vrs, Ratnakar Mohapatra & another (F.A.O. No.509 of 2014 & batch disposed of on 19.03.2025) which has been made confirmed by the Hon'ble Apex court in SLP(C) No.6943 of 2026 disposed of on 25.03.2026 and the ratio decided by the learned State Education Tribunal in G/A Case filed by Manas Kumar Barik bearing No. 346 of 2012 disposed of on 24.02.2014 which has been confirmed by the Hon 'ble High Court and further the employees of the petitioner's institution may be extended with all other consequential, service and financial benefits as due and admissible within a reasonable time to be stipulated by this 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 Petitioners, at the outset, contended that the present Petitioners, who stand in a similar footing with the Appellant in FAO No.509 of 2014, which was disposed of by a Coordinate Bench on 19.03.2025 and eventually upheld by the Hon'ble Supreme Court, claims similar benefits at par with the Appellant in FAO No.509 of 2014. He further contended that



claiming similar benefits the Petitioners have already approached the Opposite Party No.2 by filing a detailed representation dated 06.04.2026 at Annexure-3 to the writ petition. He further submitted that since no decision has been taken on the representation of the Petitioners. Challenging such inaction of the Opposite Party No.2 the Petitioners have approached this Court by filing the present writ petition.

5. Learned counsel for the State, on the other hand, contended that since the issue involved in the present writ petition is release of GIA, the present writ petition is not maintainable. He further contended that in the event the Petitioners have approached the Opposite Party No.2 and her grievance is still pending before the Opposite Party No.2, he will have no objection if this Court directs the Opposite Party No.2 to take a lawful decision on such representation within a stipulated period of time.

6. Considering the submissions made by the learned counsels appearing for the respective parties, on a careful analysis of their submissions and on a close scrutiny of the document annexed to the writ petition, this Court observes that the sole grievance of the Petitioners in the present writ petition is the inaction of the Opposite Party No.2 to take a decision on her representation dated 06.04.2026 which is stated to be pending before the Opposite Party No.2 for consideration. Taking into consideration the aforesaid factual scenario, this Court deems it proper to dispose of the writ petition by directing the Opposite Party No.2 to consider and



dispose of the representation of the Petitioners in view of the judgments of this Court as well as the Hon'ble Supreme Court within a period of eight weeks from the date of communication of a certified copy of today's order. It is needless to mention here that the claim of the Petitioners shall be governed by the judgment of this Court as has been affirmed by the Hon'ble Supreme Court. It is further directed that the Opposite Party No.2 shall do well to dispose of the representation of the Petitioners by passing a speaking and reasoned order. The final decision so taken be communicated to the Petitioners within ten days thereafter.

7. With the aforesaid observations/directions, the writ application stands disposed of.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge

Utkalika