



IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.359 of 2025

Prajna Parida

.... Appellant

Mr.K.K. Swain, Advocate

-versus-

State of Odisha & others

.... Respondents

Mr.J.K. Ray, ASC

CORAM:

JUSTICE DIXIT KRISHNA SHRIPAD

ORDER

14.08.2025

Order No.

01.

The short grievance of the appellant is against the order dated 02.07.2025 made by the State Education Tribunal, Bhubaneswar whereby his application for amendment of prayer moved in GIA Case No.423 of 2014 has been negatived on the ground that the amendment if followed would change the nature & character of the main case.

2. Learned counsel for the appellant draws attention of the Court to the main prayer in the GIA, wherein challenge is to the denial of financial aid in terms of Grant-in-Aid Order, 1994. In the subject application, he wanted to introduce an alternative prayer for a direction to accord aid under the Grant-in-Aid Order, 2004, which had repealed, 1994, Order. He submits that there is proximity & contiguity between the original prayer and the prayer sought to be introduced by way of amendment and therefore, the version of the Tribunal that if amendment is allowed, it would change the very nature of GIA is unsustainable.



3. Learned ASC appearing for the respondents opposes the petition making submission in justification of the impugned order and the reasons on which it has been structured. He tells that where the amendment is belated or, it changes the nature of the main case, requests for such amendments are not accorded.

4. Having heard learned counsel for the parties and having perused the appeal papers, this Court is inclined to allow the subject application for amendment, inasmuch as the main prayer before the Tribunal and the additional prayer sought to be introduced by way of amendment have contiguity & proximity; in any case the reasoning of the Tribunal that the said amendment would change the nature & character of the case is very difficult to agree with.

In the above circumstances, this appeal is allowed and the impugned order of the Tribunal is set at naught; the Tribunal is requested to allow the subject amendment application as sought for, and dispose off, GIA Case No.423 of 2014 within an outer limit of nine (9) months. All the contentions of parties are kept open.

Web copy of this order to be acted upon by all concerned.

(Dixit Krishna Shripad)
Judge

Signature Not Verified

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