



IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.895 of 2018

Sailesh Kumar Behera

.....

Appellant

Represented by Adv. –
Mr. Sameer Ku. Das

-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.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard the learned counsel for the Appellant 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.
3. The Applicant before the State Education Tribunal has approached this Court by filing the present appeal thereby challenging the order dated 05.10.2018 passed in G.I.A. Case No.605 of 2014.
4. Learned counsel for the Appellant, 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.

5. Learned counsel for the Respondents Nos.1 & 2, on the other hand, vehemently objected to the prayer made by the Appellant in the present appeal. He further contended that the Appellant was not eligible to get such grant-in-aid and that no such recommendation was made in his favour by the Competent Authority. He further submitted that, in the event, this court directs the Respondents to re-examine the case of the Appellant with regard to his 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.

6. 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 Appellant as has been done in F.A.O. No.509 of 2014.

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

(A.K. Mohapatra)
Judge

Sashikant

Signature Not Verified

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Signed by: SASHIKANT PARIDA
Reason: Authentication
Location: OHC
Date: 07-May-2026 10:56:06

