



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28620 of 2026

CNR No. ODHHC010685552026

Champabati Behera and others

....

Petitioners

Mr. K.K. Swain, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. S.N. Nayak, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

03.09.2026

Order No.

01.

1. Heard Mr. K.K. Swain, learned counsel for the Petitioners and Mr. S.N. Nayak, learned Additional Standing Counsel for the State-Opposite Parties.

2. It is submitted on behalf of the Petitioners that the authorities without finalizing the gradation list in terms of Rule 15 of the Odisha Elementary Education (Method of Recruitment and Conditions of Service of Teachers and Officers) Rules, 1997, are taking steps for promotion of teachers to Level-III in the Elementary Cadre. It is further submitted that the Petitioners were appointed prior to 03.09.2001 on regular basis and thus are exempted from passing OTET examination, as per paragraph 168 of the decision in *Anjuman Ishaat-e-Taleem Trust vs. The State of Maharashtra and others*, 2025 SCC OnLine SC 1912.

3. Issue notice. Mr. S.N. Nayak, learned Additional Standing Counsel accepts notice for the State-Opposite Parties 1 to 4.

4. List this matter on 4th November 2026.



I.A. No.17186 of 2026

5. As an interim measure, it is directed that no promotion shall be effected for Level-III Teachers without publishing the final gradation list in respect of Angul district.

6. An urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge