



IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.496 of 2025

Sanjukta Dash

.....

Appellant

Represented By Adv. –
Mr. Saroja Kanta Samal

-versus-

State of Odisha and others

.....

Respondent

Represented By Adv. –
Mr. D.K. Sahoo, AGA

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA
ORDER
27.04.2026

Order No.

01

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Appellant as well as learned counsel for the Respondents-State. Perused the Appeal and the documents annexed thereto.
3. The present FAO has been filed under Section 24-C of the Orissa Education (Amendment) Act, 1998 thereby challenging order dated 18.09.2025 passed by the learned State Education Tribunal in GIA Case No.217 of 2025.
4. Learned counsel for the Appellant at the outset contended that the appellant initially moved an application before the State Education Tribunal with a prayer for release of grant-in-aid in his favor. Such application was taken up by the learned Education Tribunal and by virtue of an order dated 18.09.2025, at



Annexure-1, the GIA Case No.217 of 2025 was disposed of at the stage of admission by the learned Tribunal and the prayer for the Petitioner was rejected following the judgment in the case of ***State of Odisha vs. Anup Kumar Senapati***. Learned counsel for the petitioner further contented that challenging such order, the petitioner has preferred this FAO. He further contented that in the meantime, the judgment in ***Anup Kumar Senapati***'s case (*supra*) has been distinguished by a coordinate bench of this court in FAO No.509 of 2014 in ***State of Odisha and Another vs Ratnakar Mohapatra and Another*** and a batch of similar other writ application disposed of vide a common judgment dated 19.03.2025. He further submitted that relying the judgment in ***Ratnakar Mahapatra***'s case (*supra*), the learned Coordinate Bench has disposed of many similar applications and in one such application, the State preferred batch of SLPs before the Hon'ble Supreme Court, the lead matter being ***State of Odisha & Another vs. Jagannath Dixit & Another*** in Special Leave to Appeal (C) No.6592 of 2026. The Hon'ble Supreme Court vide order dated 13.02.2026 dismissed the State's SLP relying upon another judgment dated 23.01.2026 passed by a Coordinate Bench of the Hon'ble Supreme Court in the ***State of Odisha and Others v. Managing Committee of Khali Apsara High School*** in SLP(C) Diary No.71468 of 2025.

5. Learned counsel for the State-Respondent on the other hand objected to the prayer made in the present appeal. She further submitted that the prayer of the petitioner has been rejected by the learned Tribunal by following the judgment in ***Anup Kumar Senapati***'s case.



6. Having regard to the submissions made by counsels appearing for both sides and on careful examination of the background facts as well as taking into consideration the judgment relied upon by both sides, this Court is of the considered view that the judgment in *Anup Kumar Senapati* has been distinguished by a Coordinate Bench of this Court in an identical matter and such judgment of the Coordinate Bench has already been affirmed by the Hon'ble Supreme Court. In such view of the matter, the dispute involved in the present appeal requires reconsideration by the State Education Tribunal. Accordingly, this Court has no hesitation in setting aside the impugned order dated 18.09.2025 passed in GIA Case No.217 of 2025. Accordingly, the same is hereby set aside. Further, the matter is remanded back to the State Education Tribunal for fresh adjudication of the matter in accordance with law as expeditiously as possible.

7. With the aforesaid observations/ directions, the FAO stands allowed.

(A.K. Mohapatra)
Judge

Debasis