



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.37587 of 2025

Reena Kumari Behera and another ***Petitioners***
Mr. Mahendra Kumar Sahoo, Advocate
-versus-
State of Odisha and others ***Opposite Parties***
Ms. Suman Pattanaik, AGA

CORAM:
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

Order No.
01.

ORDER
30.12.2025

1. Learned counsel appearing for the petitioners drawing attention of this Court to engagement order dated 13th December, 2018 *vide* Annexure-6 series submitted that the petitioners, qualified B.Sc., B.Ed., are engaged as teacher in the Project Upper Primary Schools.

1.1. Referring to order dated 8th October, 2025 rendered by the Hon'ble Supreme Court of India in the case of *Sukhen Mondal and others Vrs. National Council for Teachers Education and others*, in *WP(C) No.65 of 2025* learned counsel for the petitioners submitted that Six Months Certificate Course (Bridge) is meant only for Primary School Teachers, but it is not applicable to the Upper Primary School Teachers.

1.2. To buttress his argument, he relied on the public notice dated 7th April, 2025 issued by the National Council for Teacher Education, wherein such position has been clarified as follows:-

“***

ii. This course will only be meant for those primary teachers who had been appointed with B.Ed. degree in accordance with NCTE's notification dated 28.06.2018 and who were



in-service before the date of Hon'ble Supreme Court's judgment dated 28.11.2023. Appropriate mechanism will be evolved by NCTE and NIOS to ensure that any candidate, who is not covered under the ambit of the judgment dated 08.04.2024, shall not avail of the course. Orders of the competent authority in this Department will be obtained in this regard. The participant teachers shall complete the course within one year of the commencement of course of NIOS."

1.3. It is submitted at the Bar that a notification bearing No.07 of 2025, dated 25th November, 2025 has been issued by the National Institute of Open Schooling, wherein the following is reflected:

*“*** The Bridge Course is only meant for those primary teachers who had been appointed with B.Ed. degree in accordance with NCTE's notification dated 28.06.2018 and who were in-service prior to the Hon'ble Supreme Court's judgement delivered on 11.08.2023.”*

1.4. Learned counsel appearing for the petitioners urged that after the judgment of the Hon'ble Supreme Court of India in *Devesh Sharma Vs. Union of India and others, (2023) 18 SCC 339*, aforesaid developments have come to exist.

1.5. The State Institute of Open Schooling issued Letter No.258, dated 8th December, 2025, impressing upon all concerned that in case there is failure on the part of any candidate as directed by the educational authorities within time-frame, the appointment would be rendered invalid. It is highlighted that though the petitioners are not Primary School Teacher, but are Upper Primary School Teachers, the are directed *vide* Letter dated 20th December, 2025 issued by the ADEO-cum-DNO (Bridge Course), Gajapati, Paralakhemundi to undergo Six Months Certificate Course (Bridge) in Primary Teacher Education.



1.6. It is, therefore, contended that said authority has acted not only contrary to Judgment and Order of the Hon'ble Supreme Court, but also in contravention of the Guidelines issued by appropriate authority.

2. The matter deserves consideration.

3. Issue notice to the opposite parties.

4. Ms. Suman Pattanaik, learned Additional Government Advocate appears on behalf of opposite parties and waives service of notice on them as copy of the writ petition has already been served upon them.

5. List this matter on 10th February, 2026. In the meantime, counter, if any, be filed.

I.A. No.23489 of 2025

6. Perusal of engagement orders at Annexure-6 series reveals that the petitioners are engaged as teacher in Project Upper Primary School. Scrutiny of the papers enclosed to the writ petition reveals that the National Council for Teacher Education and National Institute of Open Schooling have clearly envisaged that such Bridge Course is applicable to Primary Teachers. Hence, it appears that the petitioners are *prima facie* case.

6.1. Learned counsel appearing for the petitioners referred to an interim order dated 23rd December, 2025 of a co-ordinate Bench of this Court in the case of *Sarat Kumar Sethy and another Vs. State of Odisha, represented through its Secretary, School and Mass Education Department and others* passed in WP(C) No.36603 of 2025.



6.2. Taking into account the documents enclosed to the writ petitions, considering the notifications issued by National Institute of Open Schooling and State Institute of Open Schooling and the position as discussed in foregoing paragraphs, and keeping in view the interim order passed by this Court, it is directed that no coercive action be taken against the petitioner pursuant to the direction/order in letter dated 20th December, 2025 (Annexure-15) till the next date.

(M.S. Raman)
Vacation Judge

Laxmikant