

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2012

(CC 9054/2012)

(From the judgement and order dated 23/12/2011 in WPC No.14979/2010 of The HIGH COURT OF ORISSA AT CUTTACK)

BASANTA KUMAR JENA AND ANR

Petitioner(s)

VERSUS

STATE OF ORISSA AND ORS

Respondent(s)

(With appln(s) for permission to file SLP and office report)

Date: 02/07/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr.Anukul Chandra Pradhan, Adv.  
Mr. Saurabh Mishra, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

## O R D E R

The application for permission to file the special leave petition is allowed.

The delay in filing the special leave petition is condoned.

The petitioners have questioned the correctness of order dated 23.12.2011 passed by the Division Bench of the Orissa High Court whereby a batch of writ petitions filed against the order of the Orissa Administrative Tribunal were allowed and directions were given to the State Government to fix the inter se seniority of certain categories of teachers.

We have heard learned counsel for the petitioners and perused the record.

In our view, the reasons assigned by the High Court for quashing the order passed by the Tribunal and the direction given for fixation of the inter se seniority of the teachers are legally correct and the impugned order does not require interference under Article 136 of the Constitution.

The special leave petition is accordingly dismissed.

However, it is made clear that if the competent authority takes any action or pass any order which adversely affects the petitioners then they shall be free to avail appropriate legal remedy.

(Satish K.Yadav)  
Court Master(Phoolan Wati Arora)  
Court Master