



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.20376 of 2026

Managing Committee of Injana ***Petitioners***
High School, Kalarahang,
Khurda and others

Represented by Adv. –
J. Biswal, Advocate

-versus-

State of Odisha & Ors. ***Opposite Parties***

Represented by Adv. –
D.K. Sahoo, A.G.A.

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

08.07.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners as well as learned counsel for the State-Opposite Parties. Perused the writ petition as well as the prayer made therein.
3. The petitioners has filed the present writ application with the following prayer:-

*“Under the above circumstances, it is humbly
prayed that the writ petition may be allowed;*

And

(A) a writ of mandamus or an appropriate writ may be issued directing the opposite parties to release the salary components of the petitioners with effect from the date of their eligibility as per the Grant-in-Aid Order, 1994 instead of Block Grant with effect from 01.01.2004 as per the Grant-in-Aid Order, 2004 by



*notifying the institution as an Aided Educational Institution w.e.f. 1.06.1999, keeping in view the judgment of this Hon'ble Court rendered in the case of **State of Odisha and another Vs. Ratnakar Mohapatra and another (F.A.O No.509 of 2014 disposed of on 19.03.2025 along with batch of cases)**, which has already been upheld by the Hon'ble Apex Court vide order dated 25.03.2026 by dismissing several SLPs filed by the State Government, which were tagged to S.L.P (Civil) Diary No.6943 of 2026 and the differential arrears may be calculated and may be paid to the petitioners, within a time to be stipulated by this Hon'ble Court;*

(B) And any other order / orders or direction / directions may be issued so as to give complete relief to the petitioners;

And for this act of kindness, the petitioner shall as in duty bound remain ever pray.”

4. It is stated by the learned counsel for the Petitioners that being aggrieved by inaction of the Opposite Party No.2 the Director Secondary Education Odisha, Bhubaneswar in disposing of the representation of the Petitioners dated 25.11.2025 at Annexure-3 to the writ application, the Petitioners have approached this Court by filing the present writ application. Learned counsel for the Petitioners further contended that many similar matters have been disposed of in terms of order passed by a coordinate Bench of this Court in FAO No.509 of 2014 disposed of on 19.03.2025 in the **State of Odisha and another vs. Ratnakar Mohapatra and another in (F.A.O. No.509 of 2014)**. In such view of the matter, learned counsel for the Petitioners contended that the Opposite Parties be directed to consider and dispose of the grievance of the Petitioners by taking into consideration the ratio laid down in **Ratnakar Mohapatra' case** (supra).



5. Learned counsel for the State, on the other hand, objected to the maintainability of the present writ application on the ground that since the dispute involved in the present writ application pertains to release of grant-in-aid in favour of the present Petitioners, the Petitioners should have approached the learned State Education Tribunal instead of approaching this Court by filing the present writ application. He further contended that while considering the case of the Petitioners for release of the grant-in-aid, the Opposite Parties are required to test the eligibility and entitlement of the Petitioners as has been laid down by the Hon'ble Supreme Court in *Ratnakar Mohapatra's Case* (supra). On such ground, learned counsel for the State contended that the present writ application is not maintainable and that the same being devoid of merit, is liable to be dismissed.

6. Having regard to the submissions made by the learned counsels appearing for both sides, on a careful examination of the background facts and further taking note of the fact that the Petitioners have approached this Court challenging the inaction of the Opposite Party No.2 in disposing their representation at Annexure-3, this Court deems it proper to dispose of the writ application at the stage of admission by directing the Opposite Party No.2 to consider and dispose of the representation of the Petitioners in accordance with law by keeping in view the ratio laid down in *Ratnakar Mohapatra's case* (supra) and further verify the entitlement and eligibility of the present Petitioners, to such grant-in-aid as per the judgment of this Court which was confirmed by the Hon'ble Supreme Court. Let a final decision be taken in the matter within a period of eight weeks from the date of production



of certified copy of this order. The Petitioners approach the Opposite Party No.2 along with a copy of today's order. The grievance of the Petitioners shall be redressed by passing a speaking and reasoned order. Such final order be communicated to the Petitioners within ten days from the date of taking such decision. It is further made clear that this Court has not expressed any opinion on the merits of the matter, particularly, with regard to eligibility and entailment of the Petitioners which shall be considered by the Opposite Party No.2 while considering the representation of the Petitioners.

7. With the aforesaid observation/direction, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Jagabandhu