



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12697 of 2026

CNR No.ODHC010266772026

Managing Committee of Hirlipali **Petitioner**
High School, Hirlipali represented
through its Headmaster-cum-
Secretary

Mr. D.N. Rath, Advocate

-versus-

State of Odisha & Others **Opp. Parties**

Mr. Debashis Tripathy, AGA

CORAM:

THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER

31.07.2026

Order No.

05. 1. Heard learned counsel for the Parties.
2. By means of this application, the Petitioner seeks the following relief:-

“Under the above circumstance, it is therefore humbly prayed that this Hon'ble Court may be graciously pleased to issue a writ in the nature of writ of mandamus or any other appropriate writ, direction or order by directing the opposite parties 1 to 3 to extend the benefit in favour of the employees of the petitioner's institution in terms of the order dated 22.02.2019 passed by the learned Tribunal in GIA Case No. 342 of 2015 under Annexure-2, which has been confirmed by this Hon'ble Court vide dated 14.03.2024 passed in FAO No. 614 of 2020 under Annexure-3 to the writ petition, within a stipulated time.”

3. Vide order dated 10.07.2026, Mr. Mohanty, learned AGA, had agreed to ensure that the matter is set at rest, at his intervention with the Government Officials, in complying the direction of the learned Tribunal. However, Mr. Tripathy, learned



AGA drew the attention of this Court to the provision under Section 24-A (6) of the Odisha Education Act, 1969 which reads as follows:-

“The order passed by the Tribunal shall be enforced under the Code of Civil Procedure, 1908 in the same manner as if it were a decree of the Civil Court.”

4. Since the order of the learned Tribunal is to be treated as a decree of a Civil Court, the provisions under Order XXI of the Code of Civil Procedure, 1908 has to be resorted to by the learned Tribunal and to ensure that the order is implemented.

5. Learned counsel for the Petitioner submits that the execution proceeding has been pending since 2019 vide Execution Case No.119 of 2019, whereas the learned Tribunal is sitting tight over the matter without proceeding further.

6. Having regard to the expressed provision, more particularly the insertion of Sub-section 6 to Section 24-A of the said Act, the Petitioner has an efficacious remedy available under the law. The learned Tribunal shall do well to proceed in accordance with law for the execution of the decree, even by resorting to the stringent action as would be contemplated under Order XXI of CPC. There are elaborate provisions under Order XXI of CPC to ensure the presence of the judgment debtor, even to the extent of issuing a warrant to ensure the presence, and the learned Tribunal should not hesitate to proceed strictly in adherence with the aforesaid provisions of Order XXI of CPC to ensure that the decree is satisfied. With the above direction, the Writ Petition stands disposed of.



7. Needless to say, that the execution having been pending since 2019. The learned Tribunal shall do well to make an endeavor to proceed with the execution as expeditiously as possible.

(Chittaranjan Dash)
Judge

Sarbani