

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.19775 OF 2021**

**Nalinilata Marndi**

.....

**Petitioner**

*Mr. K. Swain, Advocate*

Vs.

**State of Odisha & Ors.**

.....

**Opposite parties**

*Mr. B. Mohanty, S.C. S&ME  
Deptt.*

**CORAM:**

**DR. JUSTICE B.R. SARANGI**

**ORDER**  
**19.07.2021**

**Order No.**

**2**

This matter is taken up by video conferencing mode.

Heard Mr. K. Swain, learned counsel for the petitioner.

The petitioner has filed this writ petition seeking direction to opposite parties to absorb the petitioner as Sikshya Sahayak with effect from 01.10.2008 since the petitioner is engaged in the vacant post of Sikshya Sahayak and is having the same qualification as that of the Sikshya Sahayak and is performing the same duty that is available for Sikshya Sahayaks in a primary school as per the policy decision of the State Government and accordingly to treat the petitioner as Junior Teacher with effect from 01.10.2011 and Regular Primary School Teacher with effect from 01.10.2014, in terms of the Resolution of the Government dated

16.02.2008 keeping in view the ratio decided in the case of **Dhananjay Charan Dey Vrs. State of Orissa and others**, 2020 (II) ILR-Cut-84, which has been upheld in W.A. No. 10 of 2021 disposed of on 02.02.2021.

In course of hearing, learned counsel for the petitioner states that highlighting the grievances, the petitioner has made representation to opposite party no.1 vide Annexure-10 and the same may be directed to be disposed of within a stipulated time.

Considering the limited grievance of the petitioner, this Court without expressing any opinion on the merits of the case, disposes of the writ petition directing opposite party no.1 to consider the representation filed by the petitioner vide Annexure-10 and pass appropriate order keeping in view the ratio decided by this Court in **Dhananjay Charan Dey** (supra) in accordance with law within a period of three months from the date of production of authenticated/certified copy of this order.

As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed, vide Court's Notice No.4587 dated 25th March, 2020, as modified by Court's notice no. 4798 dated 15th April, 2021.

Alok

**(DR. B.R. SARANGI)**  
**JUDGE**