

(2022) 06 OHC CK 0112

In the Orissa High Court

Case No : Writ Petition (C) No. 8617 Of 2022

Gobinda Chandra Swain & Ors

APPELLANT

Vs

State Of Orissa And Ors

RESPONDENT

Date of Decision : 24-06-2022

Acts Referred:

Orissa Education Act, 1969 — Section Section 3(b)

Citation : (2022) 06 OHC CK 0112

Hon'ble Judges : S.K. Panigrahi, J

Bench : Single Bench

Advocate : Laxmikanta Mohanty, Biswajit Mohanty

Judgement

S.K. Panigrahi, J

1. This matter is taken up through hybrid arrangement.

2. Heard.

3. Limited grievance of the petitioners is that they sought a direction to the opposite parties to look into their request and take appropriate action in the matter of allotment of GPF account in their favour. However, the stand of the Government is that they have not framed any policy with respect to opening of GPF account for block grant teachers and no notification has been issued by the Government for extending GPF scheme under the Orissa Aided Educational Institutions' Employees' General Provident Fund Rules, 1983. Accordingly, the petitioners were denied the GPF benefits.

1 4. Learned counsel for the petitioners submits that the school of the petitioners is an aided educational institution within the meaning of Section 3(b) of the Orissa Education Act, 1969. Further, he submits that this Court in the case of Ritanjali Giri Alia Pual vrs. State of Odisha and others 216 (I) ILR 1162, has held that:

"Section 3(b) of the Orissa Education Act, 1969 defines the Aided Educational

Institutions, which is quoted hereunder:

"3(b) Aided Educational Institutions means private educational institution which is eligible to, and is receiving grant-in-aid from the State Government, and includes an educational institution which has been notified by the State Government to receive grant-in-aid.""

5. In view of such facts, the matter is required to be examined.

6. Hence, issue notice to the opposite parties.

7. Mr. Biswajit Mohanty, learned Standing Counsel for the Department of School and Mass Education waives of notice on behalf of the opposite parties. Required number of copies of the brief be served on him within three working days hence, who shall obtain instructions and file reply.

8. Since the similar matter i.e. W.P.(C) No.6874 of 2022 has been fixed for hearing on 15.07.2022, this matter be tagged along with the same.

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