

Appeal dismissed.

1998 (1) OLR — 567

SUSANTA CHATTERJI AND R. K. DASH, JJ.

*Original Jurisdiction Case No. 5235 of 1994*

In the matter of an application under Articles 226 of the Constitution of India.

Jogeswar Naik ... Petitioner

*Versus*

State of Orissa and others ... Opp. Parties

For Petitioner : Mr. J. K. Rath

For Opp. parties : Addl. Govt. Advocate

1 and 2

For Opp. party 3 : Mr. S. C. Misra

ORISSA EDUCATION (AMENDMENT) ACT, 1994 — Sec. 7-c(4) — Effective from 4.7.1994 — It supersedes all previous Grant-in-aid principles — Grant-in-aid cannot be claimed as a matter of right which has been decided by a Full Bench of Orissa High Court — The only exception has been made that there should not be discrimination and relief should not be granted arbitrarily to the prejudice of a person concerned — The Grant-in-aid principles may be changed from time to time — The Rules and procedures are obviously meant for substantive justice — Under Section 7-c(4) of the amendment Act the cut-off date is 4.7.1994 — In the facts and circumstances of the case the petitioner is to get relief under Sec. 7-c(4) of the Act — He can ask for relief from the date of adjustment against direct payment post — The previous period cannot be reckoned.

(Paras - 8 to 9)

Decided on 13th May, 1998.