

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 294 of 2022

Ananya Parida

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Petitioner

Mr. P.K. Satapathy, Advocate

Vs.

Union of India & Ors.

.....

Opposite parties

Mr. D. Gochhayat, CGC

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

05.01.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. P.K. Satapathy, learned counsel for the petitioner and Mr. D. Gochhayat, learned Central Government Counsel for the opposite parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to permit her to admit in B.Sc. (Ag.) Course in O.U.A.T., Bhubaneswar as per AIEEA-UG 2020-21 against the vacant seats available after third round counseling.

4. Mr. P.K. Satapathy, learned counsel for the petitioner contended that by following due procedure of selection, the petitioner was initially allotted a seat for B.Sc. (Horticulture) course in University of Horticultural Science, Bagalkote, Karnatak and the petitioner requested for upgradation to her first choice. In the

second round counseling, the petitioner was allotted for B.Sc. (Horticulture) course in Indira Gandhi Krushi Vishwa Vidyalaya, Raipur, but the petitioner requested for up-gradation as her first choice was not allotted. In the third round counseling, the petitioner was again allotted a seat in B.Sc. (Horticulture) course in Indira Gandhi Krushi Vishwa Vidyalaya, Raipur. It is further contended that since her choice seat and institution were not recommended, the petitioner withdrew herself from counseling. But, after the final round counseling programme, seat matrix was published indicating that there are six number of seats for B.Sc. (Ag.) course lying vacant in O.U.A.T., Bhubaneswar vide Code No.2017, therefore, she should be allotted a seat for B.Sc. (Ag.) course at O.U.A.T., Bhubaneswar. It is further contended that as per information brochure, the MOP-UP final round counseling started from 01.01.2022 and seat matrix was also published on 01.01.2022 and the registration process ended on 04.01.2022. Though the petitioner tried to register herself for final round counseling, as seats are available and vacant for her first choice, i.e., B.Sc.(Ag.) course in O.U.A.T., Bhubaneswar, but the system did not accept registration for counseling in MOP-UP/final round. Therefore, the petitioner should be given opportunity for the same.

5. In course of hearing, this Court called upon Mr. P.K. Satapathy, learned counsel for the petitioner to

show any provision under which the petitioner can exercise option for MOP-UP final round counseling by exercising her choice, but he was unable to show any such provision either from the record itself or any materials available with him. In absence of any provisions with regard to allotment of choice seat to the petitioner from amongst vacant six seats meant for unreserved category candidates at O.U.A.T., Bhubaneswar in the final MOP-UP round counselling, the claim made by the petitioner cannot be considered. In any case, in the event the petitioner leaves her seat which has been allotted, it will cause further difficulties to the selected candidates.

6. In the above view of the matter, this Court is not inclined to entertain the writ petition, which is accordingly dismissed.

Alok

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(DR. B.R. SARANGI)
JUDGE

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(S.K. PANIGRAHI)
JUDGE