

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 1133 of 2022

Sibendra Nath Sahu

.....

Petitioner

Mr. B. Sahoo, Adv.

Vs.

State of Odisha and others

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

28.01.2022

Order No.

01

This matter is taken up by video conferencing mode.

2. The petitioner has filed this writ petition challenging the advertisement under Annexure-1 dated 06.12.2021 issued for recruitment to the post of Junior Managers in Odisha State Cooperative Bank Ltd..

3. Learned counsel for the petitioner contended that the eligibility criteria prescribed under clause-B of the advertisement under Annexure-1 is in gross violation of Staff Service Rules, 1980, as amended upto 30.10.2004. It is contended that Rule-7(1)(j) of Rules, 1980 provides that 50% of the posts shall be filled up by selection of suitable graduate employees of the affiliated District Central Cooperative Banks and other Cooperative Credit Sector having such other qualification and experience as may be decided from time to time by the Managing Committee with the approval of the Registrar/Competent Authority, and the remaining 50% of the posts shall be filled up by direct recruitment on open advertisement by the candidates having M.B.A./Masters in Banking Management/M.A. in Economics/M.Com with PGDCA or 'A' level certificate from any recognized institutions approved by the Department of

Electronics, Government of India or 2nd class graduate with Diploma in Cooperative Management or rural development with PGDCA or 'A' level certificate in Computer Application provided that 25% of the direct recruitment quota shall be filled up from among the candidates with Masters' degree in banking management, but violating the same the advertisement has been issued.

4. As it appears, the posts were to be filled up through direct recruitment and, as such, eligibility criteria has been prescribed under Clause-B(2) of the advertisement itself. Thereby, if the petitioner is otherwise eligible and satisfies the conditions stipulated in the advertisement, he may make application, as the conditions stipulated in the advertisement are in consonance with the eligibility criteria prescribed under the Rules. So far as non-prescription of 25% of quota for Master's Degree in Banking Management in the advertisement is concerned, since the posts shall be filled up on direct recruitment, the authority shall adhere to the rules applicable.

5. With the above observation, the writ petition stands disposed of.

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, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.