

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 1343 of 2022

Kumudini Pradhan

.....

Petitioner

Mr. K. Mishra, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

*Mr. S. Jena, Standing Counsel for
S&ME Department.*

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

24.01.2022

Order No.

01

This matter is taken up through video conferencing mode.

2. The petitioner files this writ petition seeking relaxation of age as provided under Clause 5A of the notice/advertisement dated 23.12.2021 under Annexure-2 to the writ petition.

3. Mr. K. Mishra, learned counsel for the petitioner contended that as per Clause-5 A of the advertisement, it has been indicated that a candidate must have attained 21 years of age and must not be above 32 years of age as on 01.01.2021. The petitioner though an SEBC candidate and 5 years age relaxation was there for them, however since no recruitment process was conducted in the year 2020 due to COVID-19, the petitioner became age barred. Therefore, he has approached this Court in the present writ petition.

4. Mr. S. Jena, learned Standing Counsel for School & Mass Education Department contended that the petitioner has not gone through the advertisement properly. In the self same Clause-5 A, it has been indicated in bold that “in view of the fact that, the recruitment of such teachers has not been held regularly, Government have allowed enhancement of Upper Age Limit for all the above category of candidates for further 5 years as a onetime

measure for this recruitment”. Therefore, the relief sought for by the petitioner has already been granted in the very same advertisement and without understanding the implication thereof, the petitioner has approached this Court in the present writ petition.

5. Having heard learned counsel for the parties and after going through the records, since the advertisement itself speaks for enhancement of further 5 years as a onetime measure for this recruitment, the relief sought for by the petitioner has already been granted. The petitioner should have availed the said benefit, instead of approaching this Court.

6. In view of the above, the writ petition stands disposed of.

7. 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.

Arun

(DR. B.R. SARANGI)
JUDGE