

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 21036 of 2013

Sudhamayee Mahamallick

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Petitioner

Mr. B.K. Nayak, Advocate

Vs.

State of Orissa & Others

.....

Opposite parties

Mr. B.P. Tripathy, A.G.A.

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

10.03.2022

Order No.

04.

This matter is taken up through hybrid mode.

2. None appears for the petitioner at the time of call.
3. Heard Mr. B.P. Tripathy, learned Addl. Govt. Advocate for the State.
4. Perused the records. The petitioner has filed this writ petition challenging the order dated 02.09.2013 passed by the Odisha Administrative Tribunal, Bhubaneswar in O.A. No.2010 of 2013, by which her prayer for relaxation of upper age limit has not been allowed.
5. On perusal of record, it appears that the petitioner, being a Scheduled Tribe lady, claims for relaxation in upper age limit for five years and thereafter, being a woman she seeks further relaxation in upper age limit another five years as per OCS (Fixation of Upper Age Limit) Amendment Rules, 2011 and Orissa Reservation of Vacancies for women in Public Service) Rules, 1994. It is contended that the

petitioner, who passed the ANM Examination in the year 2009, was finally allotted the Registration Number in 2013. As such, she was unable to appear in the previous recruitment test for M.P.H.W.(F) and now she is over-aged for appearing in such test in pursuance of the advertisement issued by the authority. Therefore, she claims that as per the provisions of law, she should be allowed to appear in the test in pursuance of the advertisement made for the post of M.P.H.W.(F) by relaxing her upper age limit for five years for S.T. candidate and further five years as woman candidate.

6. Mr. B.P. Tripathy, learned Addl. Govt. Advocate contended that since the selection process to the post of M.P.H.W.(F) has already over, the writ petition has become infructuous by efflux of time.

7. In view of the above, the writ petition stands disposed of as infructuous.

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(DR. B.R. SARANGI)
JUDGE

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(SAVITRI RATHO)
JUDGE