

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 11205 of 2022

Akash Sankhua

....

Petitioner

*Mr. S.K. Barala along with Mr. S.K.
Mishra, Advocate*

-versus-

State of Odisha & others

....

Opp. Parties

*Mr. P.K. Rath, Advocate for O.P.
Nos.2 and 3-CHSE*

*Mr. D. Mohapatra, SC (School and
Mass Education Deptt.) for opposite
party no. 1*

**CORAM:
JUSTICE M.S. SAHOO**

**ORDER
06.05.2022**

Order No.

01.

1. This matter is taken up through hybrid mode.
2. The writ petition has been filed with the following prayer:-

“It is therefore, prayed that this Hon’ble Court may graciously be please to admit this writ petition, issue notice to the Opp. Parties and after hearing the parties direction be issued to the Opp. Party No.1, to take immediate steps for appearing in +2 Science Examination, 2022 as special case which will be commenced from 9th May, 2022 and if it is not possible as pass CLC has already been issued in favour of the petitioner then +2 Science pass marks may be confirmed and uploading it in CHSE website and further direction may be issued to make compensation in favour of the petitioner for mental agony, harassment and litigation expenses and the same shall be recovered from erring officers.”

RJ

3. Copy of the writ petition has been served on Mr. P.K. Rath, learned counsel who usually appears for Council of

Higher Secondary Education (CHSE).

4. The petitioner wants to appear at the +2 Science Examinations, 2022 which is scheduled to be commence from 09.05.2022 as Ex-Regular candidate. Apart from the representation annexed as Annexure-7, dated 02.11.2021, there is no statement regarding the petitioner if he has applied for appearing the said examination, the process for which started in December, 2021. The last date of submission of Form was extended by the CHSE for the 3rd time i.e. 28.03.2022 to 30.03.2022.

5. Learned counsel for the petitioner fairly submits that he has no instruction regarding whether the petitioner has applied for appearing the said examination by the extended date, apart from the averments made in para-18 of the writ petition.

6. It is submitted by the learned counsel for the petitioner that he may be permitted to withdraw the writ petition to file a better petition giving the detailed particulars.

7 Accordingly, the writ petition is disposed of as withdrawn with the liberty as prayed for.

(M.S. Sahoo)
Judge