

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 20010 of 2021

Mithula Badnaik

....

Petitioner

Mr. R.N. Prusty, Advocate

-versus-

State of Odisha & others

....

Opp. Parties

Mr. P.K. Panda, SC (S & ME) for
opposite parties 1 and 2

Mr. S.S. Rao along with Mr. B. K.
Mohanty, Advocate for BSEO-O.P.No.3

CORAM:
JUSTICE M.S. SAHOO

ORDER
22.06.2022

Order No.

- 05.
1. This matter is taken up through hybrid mode.
 2. Learned counsel for the petitioner refers to the earlier order dated 13.04.2022 passed in W.P.(C) No.20026 of 2021 disposing of the said writ petition. The said order is relied upon by the learned counsel for the petitioner to submit that the present case is covered. Order dated 13.04.2022 is quoted herein :-
 - “2. It is submitted by the learned counsel for the petitioners that by Notification No.775 dated 12.01.2022 issued by the Government of Odisha, Department of School and Mass Education, a corrigendum has been issued omitting “with minimum 50% marks in aggregate” appearing in Row-7 Para-5(c) of the guidelines for conducting Odisha Secondary School Teacher Eligibility Test (OSSTET) vide Resolution dated 17th September, 2016.
 3. Learned Standing Counsel also submits that such a resolution has been issued by the Department of School and Mass Education.
 4. Mr. S.S. Rao, learned counsel along with Mr. B.K. Mohanty appears and waives of notice on behalf of opposite party no.3-Board of Secondary Education.
 5. The grievance in the writ petition no more

survives in view of the issuance of the corrigendum as the petitioners had raised a grievance that the minimum qualifying marks of 50% (in +2 Exam) deprive them from participating in the selection process.

6. As directed by this Court by interim order dated 16.07.2021 in I.A. No.9205 of 2021, the petitioners had appeared at the examination conducted by the Board of Secondary Education and their result has been kept in sealed cover awaiting result of the writ petition.

7. Accordingly, it is directed that the results of the petitioners shall be published and if the petitioners ultimately are found to have succeeded in the examination, their Certificates also have to be issued expeditiously to them so as to enable them to participate in the selection process.

8. The writ petition is disposed of accordingly.”

3. Accordingly, the writ petition is allowed in terms of the order dated 13.04.2022 passed in W.P.(C) No.20026 of 2021.

