

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 18239 of 2022

Birakishor Mohanty

....

Petitioner

Mr. H.S. Deo, Advocate

-Versus -

Union of India and others.

....

Opposite Parties

Mr. M.K. Pradhan, CGC

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

27.07.2022

Order No.
02.

1. This matter is taken up through hybrid mode.
2. The petitioner has approached this Court seeking following relief:

“It is therefore prayed that this Hon’ble Court may be graciously pleased to admit the writ application, issue Rule NISI, calling upon the opp.parties to show cause as to why a writ of mandamus or any other appropriate writ/writ shall not be passed.

(i) directing the opp.party no.3 to give admission to the daughter of the petitioner namely Saswati Mohanty as her name was placed in Sl. No. 9 of the selection list as has been prepared by the Principal, Kendriya Vidyalaya No.3, Bhubaneswar for the sessions 2022-23.

(ii) If the opp. parties fail to show cause or show insufficient cause make the said rule be absolute.”

3. It is stated that the daughter of the petitioner had applied for admission to Std.-I in Kendriya Vidyalaya No.3, Bhubaneswar and as per the first provisional selection list for admission basing on lottery conducted for seats, the petitioner’s daughter was placed at serial no.9. However, till date no action has been taken by the authorities concerned to admit the child into the School.

4. Though it is stated that he has submitted certain representations to the Principal and Deputy Commissioner yet there is no evidence regarding actual submission of the same. However, the writ petition is disposed of granting liberty to the petitioner to approach the concerned authority, i.e. the Deputy Commissioner, Kendriya Vidyalaya, Bhubaneswar by submitting a representation highlighting his grievances. If such representation is submitted within a week, the same shall be considered and disposed of by the Deputy Commissioner (opposite party no.2) within a period of two weeks thereafter by passing a speaking order.
5. The decision so taken shall be communicated to the petitioner forthwith.
6. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana