

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24978 of 2021

Aikyarupa Mahapatra

....

Petitioner

Mr. D. Mahapatra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.D.K. Mohanty, AGA

Mr. B.K. Mohanty, Advocate

(For O.P. nos. 3 and 4)

CORAM:

THE CHIEF JUSTICE

JUSTICE R SASHIKANTA MISHRA

ORDER

24.01.2022

Order No.

02.

1. This matter is taken up by video conferencing mode.

2. Heard Mr. D. Mahapatra, learned counsel for the Petitioner and Mr. Bijay Kumar Dash, learned counsel appearing for the Controller of Examination, State Counsel of Technical Education of Vocational Training

3. The Petitioner had approached this Court for permission to sit in the 4th Semester (Civil) examination which was commencing on 1st September, 2021. By an order dated 25th August, 2021, he was permitted to do so as an interim measure without prejudice to the rights and contentions of the parties.

4. In the reply filed on behalf of the Opposite Party Nos. 1, 2 and 5, it is not disputed that the Petitioner was otherwise eligible to sit for examination and he could not do so only because the failure of the

institution to process the application in time. In other words, the fault was not of the Petitioner.

5. In that view of the matter, this Court now permits the results of the Petitioner's 4th Semester (Civil) examination for which he was allowed to sit, to be declared. This Court also permits Petitioner to sit for the 5th Semester examination subject to completion of all formalities and in the absence of any legal impediment.

6. The writ petition is disposed of in the above terms.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, as 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, modified by Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Dr. S. Muralidhar)
Chief Justice

(Sashikanta Mishra)
Judge