

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC(OAC) No.271 of 2016

Rashmita Mahakud

....

Petitioner

Mr. Hrudananda Mohapatra, Advocate

-versus-

State of Orissa & Others

....

Opposite Parties

Mr. Ranjit Keshari Samal, Standing Counsel for
the S&ME

CORAM:
JUSTICE M.S. RAMAN

ORDER
18.07.2022

Order No.

- 01.**
- 1.** This matter is taken up by virtual/physical mode.
 - 2.** The Original Application No.271(C) of 2016 was filed before the Odisha Administrative Tribunal, Cuttack Bench, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC(OAC) No.271 of 2016.
 - 3.** The Petitioner had applied for the post of Contractual Teacher (PET), pursuant to the advertisement dated 27.10.2014. The Educational qualification required for general candidates was +2 or its equivalent examination with minimum 50% of marks in aggregate and 45% of marks for SC/ST/OBC/SEBC candidates and CPED from recognized Board/University. It was claimed that the applicant belongs to SEBC and she has secured 44.77% marks in +2 examination. Therefore, it is contended that the marks secured in decimals more than 0.5 was to be rounded off and to be treated as next whole number so that the Petitioner can be considered eligible candidate in the selection process of contractual teacher (PET). She had attended the counseling held on 16.3.2015. But she was not

considered. But subsequently the learned Tribunal quashed the selection process vide order dated 17.12.2015 in OA No. 3589 (C) of 2014 and directed for fresh selection. Accordingly, notification was published by the Director, Opposite Party No. 2 and in the said notification, it is stated that the candidates who have already applied need not apply. Though earlier the Petitioner is not considered for the aforesaid reason, she apprehends that she may not be considered. Therefore, the Original Application seeking a direction to consider the applicant as eligible to participate in the selection process of PET (contractual teacher) was filed.

4. Mr. Ranjit Keshari Samal, learned Standing Counsel for the School & Mass Education submitted that the matter has been rendered infructuous because the writ petition has been filed on an apprehension that the Petitioner would be debarred from participating in the selection process of PET (contractual teacher).

5. In view of the submission made by Mr. Samal, learned Standing Counsel appearing for the School & Mass Education, the writ petition is disposed of as infructuous reserving liberty to the Petitioner to revive the petition within a period of 90 days from today in the event the cause of action still subsists.

Issue urgent certified copy as per rules.

(M.S. Raman)
Judge

Aks