

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 28937 of 2022

*Regional College of Higher
Studies, Palasuni, BBSR*

.....

Petitioner

Mr. T.K. Satapathy, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

03.11.2022

Order No.

01

This matter is taken up through hybrid mode.

2. Heard Mr. T.K. Satapathy, learned counsel appearing for the petitioner and Mr. A.K. Mishra, learned Additional Government Advocate appearing for the State.
3. The petitioner has filed this writ petition challenging the advertisement dated 26.10.2022 for admission notice for the session 2022-23 under Self Financing Course, i.e. Integrated Master in Computer Application and Master of Science in Computer Science in BJB, Autonomous College, Bhubaneswar published in daily Odia Samaj under Annexure-1 and further seeks direction to opposite parties 1 and 2 to allow the petitioner to start Integrated Master in Computer Application, PGDMS & MSC (IT & M) courses in BJB Autonomous College in the academic session 2022-23 in Public Private Partnership mode.
4. Mr. T.K. Satapathy, learned counsel for the petitioner contended that for opening of Self Financing Course in collaboration with Regional College of Higher Studies, Bhubaneswar, correspondence was made on 06.12.2008 with the Principal of the BJB College, for opening of the

course from the session 2009-10, but the same could not have been materialized. Thereafter in the year 2012-13 the same was also persuaded, but no decision was taken by the Government till date. When a fresh advertisement was issued under Annexure-1, the petitioner approached this Court in the present writ petition.

5. Mr. A.K. Mishra, learned Additional Government Advocate appearing for the State contended that since the claim of the petitioner relates back to the year 2008 and now in 2022 fresh advertisement was issued, therefore, the writ petition suffers from delay and laches.

6. Having heard learned counsel for the parties and after going through the records, since the petitioner wants to have the PPP mode self financing course to be opened in BJB Autonomous College, Bhubaneswar and it's claim relates back to the letter dated 06.12.2008, after long lapse of more than 14 years, the same cannot be revived by filing writ petition in the year 2022. Thereby, the writ petition suffers from delay and laches. As a consequence thereof, this Court is not inclined to entertain the writ petition. However, liberty is granted to the petitioner to pursue its remedy in accordance with law, if it is so advised.

8. The writ petition is accordingly disposed of.

Arun

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE