

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C.(OAC) No. 971 of 2014

Suvendu Kumar Das

....

Petitioner

Mr. A.K. Mishra, Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. B. Panigrahi, ASC

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

05.07.2023

Order No

04.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. A.K. Mishra, learned counsel for the Petitioner and Mr. B. Panigrahi, learned Addl. Standing Counsel appearing for the State-Opp. Parties.

3. The present writ petition has been filed inter alia with the following prayer:-

“(i) The Office Order dated 19.2.2014 under Annexure-6 in respect of the Applicant may be quashed.

(ii) Final select list dated 23.08.2013 under Annexure-4 may be directed to be redrawn granting appointment to the Applicant.

(iii) Any other relief/relieves as this Hon’ble Court deems fit and proper.”

4. It is contended that because of wrong award of mark the Petitioner’s name could not be included in the final select list so

published on 23.08.2013 under Annexure-4. It is also contended that without considering the genuine grievance raised by the Petitioner, his prayer was rejected vide order under Annexure-6.

5. Mr. Panigrahi, learned ASC on the other hand made his submission basing on the stand taken in the counter affidavit so filed by the Opp. Party No. 2. It is contended that the Petitioner since has secured only 32.25 marks, even if he will be allowed another three (3) marks for broad jump, his total marks will be 34.25 marks. It is further contended that since the cut of mark in SEBC Category (Men) was 47.75, the Petitioner even if will be allowed three (3) marks for broad jump, he will not come within the cut off mark so fixed for SEBC (Men) Category.

6. Mr. Mishra, learned counsel for the Petitioner does not dispute the stand so taken by the Opp. Party No. 2 with regard to fixation of the cut off mark and the mark secured by the Petitioner. In view of the same, this Court finds no illegality or irregularity in the selection process. Accordingly, this Court is not inclined to entertain the same and dismiss the writ petition.

7. The writ petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha

Signature Not Verified

Digitally Signed
Signed by: SNEHANJALI PARIDA
Designation: Jr. Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 07-Jul-2023 13:21:57

