

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.996 of 2019

Nageswar Gomango

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
05.05.2022**

Order No

- 07.** 1. This matter is taken up through Hybrid Mode.
2. Heard Mr. Sethi, learned counsel for the Petitioner and Mr. Nayak, learned counsel for the BPUT.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“(i) To direct the respondents to appointment the applicant as Asst. Professor Mechanical Engineering under ST category.

(ii) To direct the respondents to grant all financial and consequential benefits flowing from the appointment with effect from the date when others have got appointment in response to advertisement under Annexure-1.

(iii) And pass such other order / orders as may be deemed fit and proper for the interest of justice”.

4. It is submitted that pursuant to the advertisement issued under Annexure-1, the Petitioner though was selected in ST category and his name was placed at Sl. No.1 in that category, but he was not provided with the appointment. On their appearance, the Opposite Party Nos.2 and 3 have filed counter affidavit indicating therein that since the Petitioner could not qualify in the interview he was not provided with such appointment. The said fact is not disputed by the learned counsel for the Petitioner.

5. Since the Petitioner in terms of the advertisement could not qualify in the interview and accordingly was not provided with the appointment, no illegality has been committed by the Opposite Party Nos.2 and 3. Accordingly, the prayer made in the Writ Petition cannot be allowed.

6. The Writ Petition is dismissed accordingly.

(Biraja Prasanna Satapathy)
Judge

Subrat