

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P (C) No. 41250 of 2021

Geetagobind Bishwaswaroop

Petitioner

Ms. Rita Singh, Advocate

Vs.

State of Odisha and others

Opposite parties

Mr. B.P. Tripathy, AGA

Mr. T.K. Satpathy, Advocate (O.P.3) &

Mr. J.K. Khuntia, Advocate

(O.Ps. 2 and 4)

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

27.04.2022

Order No.

05.

This matter is taken up through hybrid mode.

2. Heard Ms. Rita Singh, learned counsel appearing for the petitioner; Mr. B.P. Tripathy, learned Additional Government Advocate appearing for the State-opposite party no.1; Mr. T.K. Satpathy, learned counsel appearing for opposite party no.3 and Mr. J.K. Khuntia, learned counsel appearing for opposite parties 2 and 3.

3. The petitioner files this writ petition seeking direction to allow him to clear all the arrear dues and to direct the opposite parties to publish his result of the Group Project Work (8th Semester) 2021 as pass, in the college website.

4. Ms. Rita Singh, learned counsel for the petitioner contended that admittedly there are outstanding dues against the petitioner, but he appeared through virtual mode for group project work examination 2021. However since he has not cleared the dues, the opposite party no.2 and 4 institution marked him as absent and as a consequence thereof, the result has not been published by the university.

5. Mr. T.K. Satpathy, learned counsel appearing for the university contended that since the petitioner has not appeared in the examination, therefore, the university has not published the result.

6. Mr. J.K. Khuntia, learned counsel for opposite parties 2 and 4

contended that the petitioner has not appeared in the examination 2021. In the further affidavit filed in court today on behalf of opposite parties 2 and 4, he has annexed the copy of the result sheet uploaded in the website of the opposite party no.3 under Annexure-B/2 and copy of the mark sheet under Annexure-C/2. According to him, the petitioner's roll number has been shown as PCI8N203 as against Internship/Major Project and his result has been indicated as fail. Under Annexure-C/2 the name of the petitioner does not find place. Therefore, the petitioner has not appeared in the examination of 2021.

7. Having heard learned counsel for the parties and after going through the record, it appears that, the petitioner has contended that she has appeared in the examination by virtual mode, which has been disputed by learned counsel appearing for the institution. Learned counsel appearing for the university also contended that since the petitioner remained absent, no marks has been awarded by the institution and he has been declared as fail. In view of such disputed facts, this Court is not inclined to interfere with the same.

8. However, Ms. R. Singh, learned counsel for the petitioner contended that whatever outstanding is there, the petitioner is willing to clear up the same by 15th May, 2022. If such amount is paid, then the institution will allow the petitioner to appear in the examination and the university will publish the result, in the event he appears and qualifies the examination.

9. With the above observation and direction, the writ petition stands disposed of.

10. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE