IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13673 of 2023

Mahendra Tiadi .... ***Petitioner***

Mr. J.K. Mohapatra, Advocate

-versus-

State of Odisha and Others .... ***Opposite Parties***

Mr. A. Behera, Advocate for 2 and 3

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

Order No. **20.01.2026**

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

2. Heard learned counsel for the parties.

3. The present Writ Petition has been filed *inter alia* challenging rejection of the petitioner's candidature vide impugned notice dtd.26.04.2023 under Annexure-6.

4. Learned counsel for the petitioner contended that even though petitioner was otherwise eligible to take the test pursuant to the advertisement issued vide Advertisement No.5 of 2022-23 under Annexure-1 but his candidature was illegally rejected vide the impugned notice.

5. Even though no counter affidavit has been filed, but placing reliance on the stipulation contained in Para-3 of the advertisement, learned counsel for the

Commission contended that as provided under Para-3 and since petitioner belongs to Ex-serviceman category, he should not have born earlier than 02.01.1979, by availing age relaxation to the extent of 5 (five) years.

5.1. It is contended that petitioner's date of birth being 01.03.1978, he is overaged in terms of the advertisement issued under Annexure-1. It is accordingly contended that no illegality or irregularity can be found with the impugned rejection.

6. Having heard learned counsel for the parties, considering the submissions made and taking into account the provisions contained under Para-3 of the advertisement, petitioner since belongs to Ex-serviceman category, petitioner should have born not earlier than 02.01.1979. Since it is not disputed that petitioner's date of birth is 01.03.1978, it is the view of this Court that no illegality or irregularity has been committed by the Commission in rejecting the application vide Annexure-6. Accordingly, this Court is not inclined to interfere with the same and dismiss the Writ Petition.

7. The Writ Petition stands dismissed.

(Biraja Prasanna Satapathy)
Judge

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Reason: Authentication
Location: High Court of Orissa, Cuttack
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