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Location: High Court of Orissa, Cuttack
Date: 09-Nov-2026 18:10:04

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30464 of 2026
CNR No. ODHC010713522026

(*An application under Articles 226 & 227 of the Constitution of India*)

Parijatamala Mahanta .... ***Petitioner***

-versus-

State of Odisha & Ors. .... ***Opp.Parties***

Advocate(s) appeared in this case:-

For Petitioner	:	Mr. S.C.Samantaray, Advocate
For Opp.Parties	:	Mr. T.K.Dash, AGA Mr. P.C.Acharya, Advocate (for O.P. 5) Mr. S.Das, Advocate (for OUAT)

CORAM:
SHRI JUSTICE B. P. ROUTRAY
MISS JUSTICE SAVITRI RATHO

JUDGMENT
4th November 2026

B.P. Routray, J.

1. Heard Mr. S.C.Samantaray, learned counsel for the Petitioner, Mr. T.K.Dash, learned AGA for the State, Mr.

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P.C.Acharya, learned counsel for Opposite Party No.5 and Mr. S.Das, learned counsel for O.U.A.T.

2. The Petitioner's claim is relating to sponsoring her name as an in-service candidate for B.Sc Horticulture course.

3. As per Annexure-7, two in-service candidates were sponsored to the college of Horticulture at Chiplima to complete B.Sc (Hons) Horticulture by the Government of Odisha in Department of Agriculture and Farmer Empowerment. The Petitioner who is presently serving as Horticulture Extension Worker (HEW) in the Office of Deputy Director of Horticulture, Keonjhar, alleges that Opposite Party No.5 namely, Smt. Debisoumya Barik, HEW, working in the same Office, has been illegally sponsored by the authority without having requisite qualification to pursue the course. According to the Petitioner, Opposite Party No.5 does not have biology subject at 12th class level and therefore, is ineligible to pursue the course as per the guidelines. In this regard, the letter dated 10th July 2026 of the Odisha University of Agriculture and Technology, Bhubaneswar (OUAT) is brought to our notice wherein, it is prescribed regarding minimum educational qualification of +2 Science or

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equivalent with PCM/ PCB subjects for admission into 1st year B.Sc (Hons) Agriculture/ B.Sc (Hons) Horticulture and B.F.Sc. (PCB mandatory), to pursue the course as in-service candidate. As per the submission advanced on behalf of the Petitioner PCB, i.e. Physics, Chemistry and Biology, is mandatory subjects at +2 Science level (12th class level) in order to be eligible to pursue the course in B.Sc (Hons) Horticulture.

4. Opposite Party No.5 has contested the case by filing her counter affidavit. In the counter affidavit such contentions raised by the Petitioner regarding mandatory subject of Biology in 12th standard level is disputed. This Opposite Party No.5 has completed her 12th standard in Diploma from Odisha School of Mining and Engineering, Keonjhar having Physics, Chemistry and Mathematics (PCM).

5. It is submitted on behalf of Opposite Party No.5 that, as per the prospectus for common entrance examination for admission into undergraduate programme 2026-27 issued by OUAT, PCM/ PCB are required subjects at the +2 level as the qualification required for pursuing B.Sc (Hons) Horticulture. It is pointed out by Mr. Acharya, learned counsel for Opposite Party No.5 that as

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per Clause 2.1 of said prospectus under Annexure-A/5, PCB is required only for pursuing B.F.Sc course, i.e. Bachelor in Forest Science, whereas PCM or PCB is required to pursue the B.SC (Hons) Horticulture course.

6. Mr. S.Das, learned counsel, who appears for OUAT, submits that as per Clause 2.1.1 if a candidate is sponsored without such qualification of Mathematics or Biology he can acquire the same during course of his study. As per OUAT, out of two names sponsored by the State under Annexure-7, one Rashmi Ranjan Swain, i.e. the other candidate than Opposite Party No.5, is found disqualified due to non-acquisition of 50% marks in 12th standard examination. Therefore, the second candidate sponsored by the Government was not allowed to pursue the course (Annexure-E/4). But in respect of Opposite Party No.5, no such disqualification is noticed in her respect. However, the scrutinisation of her candidature is yet to be conducted depending on the final result of this case.

7. Mr. Samantaray, learned counsel for the Petitioner submits that her prayer is regarding sponsoring her name irrespective of rejection of candidature of Opposite Party No.5. Mr. Samantaray

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thus submits that when one of the candidates is found disqualified by OUAT the case of the Petitioner may be considered by the authority for sponsoring to pursue the B.Sc (Hons) Horticulture course.

8. With regard to the merit of the contentions of the Petitioner against Opposite Party No.5 that she is not qualified to pursue the course, we have thoroughly perused Annexure-7 and the prospectus of the University for the year 2026-27 at Annexure-A/5. As stated earlier, it is seen clearly from Clause 2.1 of the prospectus that in order to pursue the course of B.Sc (Hons) Agriculture, B.Sc (Hons) Forestry, B.Sc (Hons) Horticulture, B.V.Sc & A.H. and B.Sc (Hons) Community Science, the subjects required to be are PCM/ PCB, whereas to pursue the course of B.Tech (Agricultural and Engineering) PCM is required subject and to pursue B.F.Sc course, PCB is the required subject. Therefore, as per the prospectus, Opposite Party No.5, who has PCM at 12th standard, is not found unsuitable or disqualified to pursue the course of B.Sc (Hons) Horticulture.

9. As per Annexure-7, i.e. the letter dated 7th September 2026 of Government of Odisha, wherein the name of two candidates

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including the name of Opposite Party No.5 was sponsored as in-service candidates, OUAT was requested to admit these two candidates for the session of 2026-27 as departmental sponsored candidates. In terms of OUAT circular dated 10th July 2026 (Annexure-2) the same was relating to sponsoring of State Government in-service candidates for admission into undergraduate programme for academic session 2026-27 under OUAT. It is relevant to re-produce the contents of said letter, which reads as under:-

> **"**in inviting a reference to the subject cited above, it is to inform you that, as per the provision in the OUAT Under Graduate Prospectus 2026-27, 10 (Ten) seats are available for departmental in-service candidates among the VAW/LVAW/GARDENER/FISHERY (JFTA) having minimum educational qualification of +2 science or equivalent with PCM/PCB subjects (minimum 50% marks in aggregate including extra optional for general candidates and 40% mark in aggregate for SC/ST/PWD candidates) for admission into 1st year B.Sc (Hons) Agriculture/ B.Sc (Hons) Horticulture and B.F.Sc. (PCB mandatory). Out of 10 seats, two seats each are available in the college of Agriculture, Bhubaneswar/ Bhawanipatna/ Chiplima, College of Horticulture, Chiplima, Sambalpur and College of Fisheries, Rangeilunda, Berhampur.
>
> It is therefore requested to sponsor the names of the eligible candidates to the undersigned on or before 10.08.2026 indicating the contact number, name of the college and course against each for considering their admission into Under Graduate Courses under OUAT to be held on 20.08.2026 for academic session 2026-27."

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10. From thorough reading of the language and the words used in the aforesaid letter of the OUAT, it is understood that "PCB mandatory" is applicable for B.F.Sc course as per the mention in the prospectus given at Annexure-A/5. Therefore, a combined reading of Annexure-2 and prospectus at Annexure-A/5 makes it clear that PCB is not mandatory for pursuing the course of B.Sc (Hons) Horticulture under OUAT. It is clearly understood in terms of the prospectus that PCM or PCB are the required subjects in 12th standard in order to pursue the course of B.Sc (Hons) Horticulture under OUAT. Therefore, the claim of the Petitioner to challenge the candidature of Opposite Party No.5 as not having PCB subjects in 12th standard class is found unsubstantiated and thus, on this score the Petitioner is not entitled to get any relief.

11. At the same time, taking note of the submission made by Mr. Das, learned counsel for OUAT, it is found that the candidature of the other candidate sponsored along with Opposite Party No.5 under Annexure-7 namely Rashmi Ranjan Swain, has been rejected due to not having 50% marks at 12th standard examination. Thus, it is found that out of two seats sponsored to

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the college of Horticulture at Chiplima under OUAT, one seat is falling vacant. In such situation if the Petitioner fulfills the required qualification to pursue B.Sc. (Hons) Horticulture course, her case can be considered, in the event no other legal impediment is there. It is true that as per the submission of Mr. Das, learned counsel for OUAT, the case of Opposite Party No.5 has not yet been scrutinized in order to confirm her candidature to pursue the course due to interim order of this Court dated 23rd September 2026. As observed above, since we do not find any disqualification on the part of Opposite Party No.5 with regard to PCM or PCB subjects at 12th standard, we have no hesitation to direct the authorities for consideration of the case of Opposite Party No.5 in terms of the recommendation/ sponsor made under Annexure-7 in order to pursue the course, subject to the condition that she satisfies all the required qualifications.

12. So far as the Petitioner is concerned, taking note of the fact that the candidature of the other candidate was not accepted by the OUAT, we are inclined to direct the Opposite Parties to consider the case of the Petitioner to sponsor her name to pursue the course of B.Sc (Hons) Horticulture under OUAT in place of

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the other candidate subject to condition that the Petitioner satisfies all such qualification to pursue said course and no other legal impediment is there.

13. With aforesaid observation and direction, the writ petition is disposed of. All interim orders passed earlier stand vacated.

(B.P. Routray)
Judge

(Savitri Ratho)
Judge

S.Das, Sr.Steno