

(2022) 06 OHC CK 0012
In the Orissa High Court
Case No : Writ Petition (C) No. 13872 Of 2022

Abhisek Sethy

APPELLANT

Vs

State Of Odisha & Others

RESPONDENT

Date of Decision : 02-06-2022

Acts Referred:

Citation : (2022) 06 OHC CK 0012

Hon'ble Judges : M.S. Sahoo, J

Bench : Single Bench

Advocate : Durga Prasad Pradhan, Deepak Ku. Pani

Final Decision : Disposed Of

Judgement

M.S.Sahoo, J

1. This matter is taken up through hybrid mode.
2. Heard.
3. The petitioner is aggrieved by the condition in advertisement dated 09.05.2022 (Annexure-7) issued by opposite party no.4, Odisha Sub-Ordinate Staff Selection Commission, particularly the condition at 3(A) (viii) which provides is quoted herein:-
"They shall have to register their name in Nursing Council in the State and have valid registration certificate as on the date of advertisement which shall be uploaded online."
4. It is submitted by the learned counsel for the petitioner that the last date of submission of application is 12.06.2022 and the petitioners have passed their examination on 07.04.2022 and the results were Gs published on 07.04.2022 conducted by the Odisha Nurses & Midwives Examination Board.
5. It is further submitted by the learned counsel for the petitioner that due to the condition contained in the advertisement though otherwise qualified, the

petitioners have not been able to fill-up and upload the form till date.

It is submitted that the petitioner has also registered his name and the Certificate of Registration has been annexed to the writ petition marked as Annexure-8 having the date of issuance 10.05.2022.

6. Having heard learned counsel for the petitioner as well as learned ASC, issue notice to the opposite parties on the question of admission indicating that the matter is likely to be disposed of at the stage of admission.

7. Mr. Pani, learned ASC appears for opposite party nos.1 to 3 and waives of notice. Let three extra copies of the writ petition be served on the learned ASC.

8. Requisites for issuance of notice to opposite party no.4 by Speed Post with A.D. be filed within three working days. Postal tracking report be placed on record.

9. List this case after service return from opposite party no.4.

I.A. NO.7376 OF 2022

1. Heard learned counsel for the petitioner and learned Additional Standing Counsel.

2. In considered opinion of this Court for the fact that the petitioner has already passed the examination on 7. 04.2022 much before the last date of filling-up the Form i.e. 12.06.2022 and he has already registered with Odisha Nurses & Midwives Registration Council on 10.05.2022, he shall be allowed to upload the form/submit the physical copy of the form before opposite party no.4 before the last date of Registration/re-Registration i.e. 07.06.2022 and the petitioner shall also participate in the process of selection to be conducted by opposite party no.4.

3. The result of the petitioner pursuant to his participation in the selection process shall also be published but shall not be given effect to without leave of this Court and shall also abide by the further orders of this Court.

Issue urgent certified copy as per rules. Copy of the order be uploaded.

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