
(2022) 04 OHC CK 0115
In the Orissa High Court
Case No : Writ Petition (C) No. 9768 Of 2022

Jogendra Behera

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 20-04-2022

Acts Referred:

Citation : (2022) 04 OHC CK 0115

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

Bench : Single Bench

Advocate : Dr. Binod Kumar Mishra, Rajesh Kumar Tripathy

Final Decision : Disposed Of

Judgement

M.S.Sahoo, J

1. This matter is taken up by hybrid mode.
2. The petitioner in the writ petition prays for relief of declaring the "Disability Certificate" as annexed, marked as Annexure-1 to the writ petition to be valid, which has been found to be fake/suspicious by the authority and the benefit received by the petitioner on the basis of the said Disability Certificate, is at stake.

A further prayer has been made to set aside the show cause notice dated 07.04.2022 (Annexure-2) issued by opposite party No.2-Principal, J.K.B.K. College directing the petitioner to show cause regarding submission of fake/not Genuine PH-OH Certificates at the time of Admission in JKBK Govt. College, Cuttack.
3. Learned Additional Standing Counsel submits that since Annexure-2 is show cause notice, the writ petition is premature as the petitioner has to respond to the show cause notice.
4. The petitioner has not responded to the show cause notice dated 07.04.2022

(Annexure-2).

5. Learned Additional Standing Counsel is directed to obtain instruction on the writ petition and the I.A. and file affidavit of the authority to apprise this Court within four weeks.

6. It is clarified that during pendency of the writ petition, the petitioner shall be at liberty to file his show cause in response to the notice dated 07.04.2022 (Annexure-2) and the authority shall take independent decision on the same.

7. As prayed for, list on 17.05.2022.

Copy of the order be uploaded in the official website.

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