
(2022) 12 OHC CK 0088
In the Orissa High Court
Case No : Writ Petition (C) No.8224 Of 2020

Kalpabasi Behera

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 08-12-2022

Acts Referred:

Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates), Act, 2012 — Section 7

Citation : (2022) 12 OHC CK 0088

Hon'ble Judges : Arindam Sinha, J;S.K. Mishra, J

Bench : Division Bench

Advocate : P. K. Mishra, Y.S.P. Babu, R. K. Samal

Final Decision : Disposed Of

Judgement

Arindam Sinha, J

1. Mr. Mishra, learned advocate appears on behalf of petitioner and submits, impugned is letter dated 16th November, 2019, by which the Principal cancelled his client's admission to B.Ed. course for session 2017-19.

2. Mr. Babu, learned advocate, Additional Government Advocate appears on behalf of State and submits, petitioner has also prayed for publication of final result in respect of the B.Ed. course and issuance of certificate. Such prayer does not fall under assignment entry no.4 of this Bench. Mr. Samal, learned advocate, Standing Counsel appears on behalf of opposite party nos.2 and 3.

3. Petitioner has made two prayers in the writ petition. Firstly, for quashing impugned letter and secondly, obviously as a consequence, direction for publication of final result. Section 7 in Odisha Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issuance and Verification of Caste Certificates), Act, 2012 provides for, inter alia, a Scrutiny Committee to adjudicate on allegation of a caste certificate being fake. On query from Court Mr. Babu and Mr. Samal both submit that there has been no adjudication by the

State Level Scrutiny Committee. In the circumstances, impugned letter is without basis.

4. Impugned letter is set aside and quashed. It is made clear that therefore, the college is to proceed in respect of petitioner as if impugned letter was not there.

5. The writ petition is disposed of.

.....