

(2022) 06 OHC CK 0036
In the Orissa High Court
Case No : Writ Petition (C) No. 13401 Of 2022

Pratiksha Behera

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 13-06-2022

Acts Referred:

Citation : (2022) 06 OHC CK 0036

Hon'ble Judges : Sashikanta Mishra, J

Bench : Single Bench

Advocate : K.K. Swain, S. Jena

Final Decision : Disposed Of

Judgement

Sashikanta Mishra, J

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Standing Counsel for School and Mass Education Department
3. The petitioner has approached this Court with the following prayer:

“(A) writ of mandamus or an appropriate writ may be issued quashing the reject list dated 19.05.2022 under Annexure:6 series issued by the Director, Secondary Education, Odisha, Bhubaneswar, so far as the petitioner is concerned and the petitioner’s name may be included in the select list in respect of S.C. (Women) Category and she may be issued with the engagement / appointment order for the post of Trained Graduate Teacher in Science (CBZ) against SC (Women) Category in respect of Jagatsinghpur education district by taking into account the marks secured by her in the Computer Based Test (CBT) under Annexure:5, within a time to be stipulated by this Hon’ble Court;

(B) And any other order / orders or direction / directions may be issued so as to give complete relief to the petitioner;

4. The case of the petitioner is that he has acquired the B.Ed qualification in the year 2020, but because of certain errors in the provisional certificate issued by the concerned University the same required revision and as such, the revised or the provisional correction certificate was issued to her on 25.04.2022. Her candidature for the post of Initial Appointee Science Teacher (CBZ) was rejected on the ground that provisional certificate was issued after the date of the advertisement. It is submitted that the rejection of the candidature of the petitioner on the aforesaid ground is entirely unsustainable in law, inasmuch as the petitioner did possess the required qualification though the provisional certificate was corrected later, for which she cannot be blamed.

5. Mr. S. Jena, learned Standing Counsel for School and Mass Education Department draws attention of the Court to the notice dated 19.05.2022 (Annexure-6 series), wherein it is mentioned that the candidates may file their objection in the prescribed format in case of any error in the draft merit list as also the draft lists of ineligible candidates between 20.05.2022 to 21.05.2022.

6. Mr. Swain, learned counsel for the petitioner submits that the petitioner has already submitted an objection, which is pending before the authority, which is also stated in paragraph-9 of the writ petition.

7. Considering the submissions as above, the writ petition is disposed of with a direction to opposite party no.2 to dispose of the objection said to be pending with him as early as possible, preferably within a period of two weeks.

8. Issue urgent certified copy as per rules.

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