

10      31.10.2019

Due to cease work call given by the members of Orissa High Court Bar Association, no counsel has entered appearance for the parties.

In compliance of the order dated 29.10.2019 passed by this Court, Dr. Smita Mishra, Principal, Radhanath Institute of Advance Study in Education (RNIASE), Cuttack appears in person.

Perused the record. The petitioner has filed this writ petition seeking for direction to the opposite parties to allow the petitioner to take admission to M.Ed. Course for the session 2019-2021 in the college already allotted to him on the condition that he will submit the mark sheet of final year B.Ed. examination after the result is published by the opposite party-University.

The petitioner contended that pursuant to advertisement issued, he applied for admission to M.Ed. Course for the session 2019-21. As per information brochure, all the eligible candidates submitted their applications and accordingly, the same were duly scrutinized and consequently, they were allowed/ permitted to appear in the entrance examination by the Director of Teacher Education and SCERT, Odisha, Bhubaneswar. Candidates, who came out successful in the entrance examination, were placed in the merit list prepared by the authority and they were allotted to get admission in different Training Colleges in the State, namely, Nalini Devi Women's College of Teacher

Education, Bhubaneswar, Radhanath Institute of Advanced Study in Education, Cuttack and Nabakrushna Choudhury College of Teacher Education, Angul. But, unfortunately some of the successful candidates have not been allowed to get admission to M.Ed. Course at the time of admission in the aforesaid Training Colleges, as because the result of their qualifying examination was not published. Therefore, they insisted the authority to get admission with an undertaking that the moment their result will be published, they will produce the certificates before the authority. Having denied by the authority to take admission to M.Ed. Course, the candidates have filed different writ petitions.

This Court by order dated 29.10.2019 directed the Principal, Radhanath Institute of Advance Study in Education, Cuttack to appear in person today to apprise this Court about the factual position pursuant thereto, she appeared and contended that due to "Fani" as well as intervening General Election, the result of B.Ed. examination of the students could not be published in due time. Even though the petitioners in different writ petitions succeeded in the entrance test, they have not been allowed to take admission in respective Training Colleges by the Director of Teacher Education and SCERT, Odisha, as they have not produced the B.Ed. certificate. In any case, all the students, who have qualified in the entrance test, have been allocated seats in respective Training Colleges before publication of

B.Ed. examination and in the meantime results have been published by the University and they have passed in the examination. As such, there are vacancies available in the respective colleges. In the event, the students are allowed to get admission, it may not cause any prejudice either to the students or to the institution to prosecute their studies.

Considering the contentions raised by the petitioner and the Principal of Radhanath Institute of Advanced Study in Education, Cuttack and also taking into consideration the ground reality, this Court is of the considered view that if the petitioner was allowed to appear in the entrance test, pursuant to advertisement issued, and after coming out successful, the petitioner has been allotted seat in the Training College, the petitioner should not have been debarred from getting admission. Rather the authority, i.e., the Director of Teacher Education and SCERT, Odisha should have permitted the petitioner to get admission into M.Ed. Course for the session 2019-2021 subject to production of B.Ed. pass certificate within a stipulated period, more so, when the opposite party-University is the authority to publish the result, and admittedly at the belated stage if the result has been published, that should not stand on the way of the career of the students for getting into admission to M.Ed. Course. In any case, the result of B.Ed. examination has been published and as the seats are available in different Training Colleges, as per

instructions, there is no impediment on the part of the authorities to get the students admitted to M.Ed. Course as per their allotment as expeditiously as possible, preferably within a period of seven days. The Director of Teacher Education and SCERT, Odisha is directed to expedite the matter and allow the students to prosecute their studies in the allotted Training Colleges. Needless to say that in the event of shortage of attendance in classes of the students, as the M.Ed. Course has already started from the month of July, 2019, accordingly the Principal of the College shall take care of the same by conducting extra classes so that the course will be completed in time without causing any hindrance thereto.

With the above observation and direction, the writ petition stands disposed of.

Urgent certified copy of this order be granted on proper application.

Alok

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**(DR. B.R. SARANGI)**  
**JUDGE**



