



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 297 of 2026

Sony Sil

....

Appellant

Dr. Binoda Kumar Mishra, Advocate

Ms. Eliza Panda, Advocate

-versus-

State of Odisha and others

....

Respondents

Mr. Arnav Behera, Advocate for OPSC

CORAM:

HON'BLE THE CHIEF JUSTICE

AND

HON'BLE MR JUSTICE MURAHARI SRI RAMAN

ORDER

24.02.2026

Order No.

02. 1. The instant writ appeal is directed against an order dated 9th February, 2026 passed by a learned Single Judge of this Court in W.P.(C) No.4120 of 2026 by which, a direction was passed upon the appellant to make a fresh representation before the respondent No.3 by enclosing all the relevant documents and in the event, such representation is filed within the time stipulated therein, the same shall be considered within three (03) months from the date of receipt of the said representation.



2. The appellant has challenged the said order of the learned Single Judge, solely on the ground that despite the judgment rendered by the apex Court in case of *Jane Kaushik (Transgender Rights Enforcement) v. Union of India*, reported in (2026) 1 SCC 336, a separate category is required to be included in the advertisement pertaining to the transgender/third gender.

3. According to the learned counsel appearing on behalf of the appellant, the direction to make a representation and its consideration within the time would not inure to the benefit of the appellant as the last date for submission of the application shall expire in the interregnum.

4. We invited the attention of learned counsel representing the respondent No.3- the Odisha Public Service Commission (OPSC), who sought for an adjournment to ponder upon the said issue. Today, a corrigendum has already been issued by the respondent No.3 to the effect that a person belonging to the third gender/transgender shall be permitted to upload their identity certificate/card issued by the competent authority along with the requisite documents in support of change of their name. The time for



registration as well as the payment of the examination fees has also been extended till 27th February, 2026.

5. Since the respondent No.3-OPSC has already issued a corrigendum, including the third gender/transgender as a separate category and extended the time for making the application, we do not think that there is any subsisting grievance in the instant matter.

6. The impugned order is thus modified to the extent that it is open to the appellant to make the application strictly in terms of the corrigendum issued by the respondent No.3-OPSC and the authorities shall accept the same in the event, the appellant complies with all the requisite conditions incorporated therein.

7. The writ appeal is accordingly disposed of. Interlocutory application(s), if any, stands disposed of.

(Harish Tandon)
Chief Justice

(M.S. Raman)
Judge