



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 1328 of 2024

Odisha Public Service Commission and Appellants
Another

Mr. B. P. Tripathy, Advocate

-versus-

Dr. Sanjay Kumar Panda & Another Respondents

Mr. Upendra Kumar Samal, Advocate

Mr. Saswat Das, A.G.A.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

11.07.2024

Order No.

03. This matter is taken up through Hybrid mode.

2. The dispute in the present writ appeal which arises out of an order passed by the learned Single Judge of this Court relates to the recruitment to the post of Dental Surgeon in Group-A, (Junior) of Odisha Medical Services (Dental) Cadre under Health and Family Welfare Department. Altogether 198 posts were advertised. The Odisha Public Service Commission had conducted the recruitment process through multiple choice question type test. Based on the said test, 171 candidates were recommended for appointment and they had been appointed. Controversy arose thereafter when some of the unsuccessful candidates questioned their non-selection on



various grounds including on the ground of incorrect key answers. Based on certain representations made by the unsuccessful candidates to the OPSC, an expert committee was constituted to revisit the key answers. The expert committee submitted its report on 05.10.2018. It is not in dispute that the expert committee found 12 key answers to be incorrect. Accordingly, the marks secured by respective candidates including those recommended on appointed were revised pursuant to an order passed by this Court. The outcome of the revision of the marks based on the report of the expert committee is that some of the candidates who have already been appointed based on recommendation made by the OPSC have less marks to their credit than some of those left out.

3. Let, the OPSC file an affidavit giving the list of the candidates who had been recommended and had been appointed to the post advertised with their respective marks determined based on the revised marks. The OPSC shall also be obliged to give a list of such candidates who have secured more than the last person recommended and appointed than the minimum marks secured by a candidate who has been recommended/appointed.

4. List this matter on 25.07.2024 for the said affidavit to be filed.



5. The two sets of key answers;- pre-revised and post-revised in relation to recruitment in question, shall be posted in the website of the OPSC within a week, if not already done.

(Chakradhari Sharan Singh)
Chief Justice

(Savitri Ratho)
Judge

Subhalaxmi