



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 38092 of 2023

Prativa Bariki

.....

Petitioner

Mr. S.K. Pradhan (3), Advocate

-versus-

State of Odisha & Anr.

.....

Opposite Parties

Mr. C.K. Pradhan, AGA

Mr. A. Behera, Advocate

(Opp. Party No. 4)

CORAM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

06.02.2026

Order No. 06

1. This matter is taken up through hybrid mode.
2. Heard learned counsel appearing for the Parties.
3. Learned counsel appearing for the Petitioner contended that even though pro-rata system of marking was not permissible in respect of the advertisement issued under Annexure-1, but by following the said principle, Petitioner was declared ineligible to get the benefit of selection and appointment.
4. Learned counsel appearing for the Commission on the other hand contended that pursuant to the order passed by the Tribunal on 22.03.2016 in O.A. No. 3633(C) of 2015, the Commission decided to follow the pro-rata system of marking and accordingly by applying the said system Petitioner was found ineligible, having not secured 50% of mark in terms of the advertisement.
5. Since no document is enclosed to the counter affidavit showing the date on which such pro rata system of marking was followed by the



Commission pursuant to the order passed by the Tribunal, learned counsel appearing for the Commission is directed to provide the relevant document in support of the aforesaid stand.

6. As requested by Mr. A. Behera, learned counsel appearing for the OPSC, list this matter on 17th February, 2026.

(BIRAJA PRASANNA SATAPATHY)
Judge

Sneha