



IN THE HIGH COURT OF ORISSA AT CUTTACK

SUO MOTU W.P.(C) PIL No.2140 of 2020

Registrar (Judicial),

Orissa High Court, Cuttack Petitioner

Er. N.K. Mohanty, Amicus Curiae

-versus-

State of Odisha & others Opp. Parties

*Mr. Jyoti Prakash Patnaik,
Government Advocate*

*Mr. Debasis Nayak-A,
Addl. Govt. Advocate &
Advocate for CMC*

*Mr. Bijay Kumar Dash, Advocate
President of Orissa High Court
Bar Association*

Sujata Jena, Advocate

CORAM:

JUSTICE S.K. SAHOO

JUSTICE V. NARASINGH

ORDER

05.10.2024

Order No.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode)

I.A. No.13571 of 2024

183.
05.10.2024

This I.A. has been filed by the Petitioner- Barabati Sarba Dharma Sanskrutika Parishad, which is a cultural organisation for a direction to the



Opposite Parties to take immediate steps on the representation dated 02.09.2024 vide Annexure-A series for smooth celebration of "Rabana Podi Utsav" on the day of Dussehra at Gadagadia Ghat, Cuttack.

Heard Smt. Sujata Jena, learned counsel for the petitioner, Mr. Jyoti Prakash Patnaik, learned Government Advocate, Mr. Bijay Kumar Dash, Advocate, learned President of Orissa High Court Bar Association and Mr. Debasis Nayak-A, learned Addl. Government Advocate and Advocate for C.M.C.

It is stated therein that the place where the "Rabana Podi Utsav" is to be celebrated is full of pot-holes which is not fit for such celebration. Therefore, the Convenor of the Committee approached the Commissioner, Cuttack Municipal Corporation and Deputy Magistrate -cum- Collector, Cuttack by filing representations requesting them for leveling and cleaning of that particular area since for the last 34 years, "Raban Podi Utsav" is being held there, but no action has been taken thereon and the event is to be celebrated on 13.10.2024 (Sunday).

Ravan Podi Utsav is celebrated on the occasion of Vijaya Dashami, which is considered the day of victory of goddess Durga over the demon king Mahishasura after a nine-nights and ten-days long battle. This event also marks the victory of good over evil and commemorates the day when Lord



Rama killed Ravana, as depicted in the epic 'Ramayana'. It is the duty of the authorities to see that religious ceremonies are celebrated without let or hindrance.

The Commissioner, Cuttack Municipal Corporation appearing through virtual mode has stated that works in that regard have already progressed and effective steps are being taken in leveling and cleaning the identified area and it would be completed by 10.10.2024 so that the event can take place smoothly on the scheduled date and people can enjoy it without any inconvenience.

It needs no emphasis that during the said "Raban Podi Utsav", since there is likelihood of huge gathering to see the event, the Commissionerate of Police shall take suitable measures to ensure the safety of the people, take care of traffic and vehicle parking management. Fire engines shall be kept in readiness, at the concerned ground, so as to avoid any untoward incident.

The Nodal Officer nominated by the Collector and District Magistrate, Cuttack namely, Sri Umakanta Raj, OAS (SAG), Addl. District Magistrate, Cuttack is present and stated that he will coordinate with all concerned to see that the event is organized smoothly and safely without any hindrance keeping in view the prevailing guidelines relating to air and noise pollution.



The steps taken by the C.M.C. without awaiting for the Court's order is really commendable. We appreciate it. Hope in future, not only the C.M.C. authorities, but also all other authorities who are connected with civic issues of citizens of Cuttack City in coordination with the District Administration, shall take effective steps in addressing the same.

Accordingly, the I.A. is disposed of.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

TALADANDA CANAL BOAT CLUB

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05.10.2024

Mr. Bijaya Kumar Dash, President of the High Court Bar Association has brought to our notice a news item published in the local daily under the heading "ANDHARARE TALADANDA BOAT CLUB" with a memo and stated that there is no proper lighting arrangement in the Taladanda Boating Club Complex for which the people are unable to enjoy the beauty of the boating in Taladanda Canal even though a huge amount of money has been spent from the Government exchequer for such purpose. The news clippings are taken on record. It is also stated that the vehicles have been parked close to the wire mesh fencing of Taladanda main canal from Jobra to College Square unauthorizedly thereby



blocking the view of the public to enjoy the beauty of Taladanda main canal.

Mr. Patra, the Commissioner, C.M.C., who is present through virtual mode and Mr. Raj, the Nodal Officer of the District Administration, who is present in Court, assured this Court that necessary steps shall be taken in coordination with Tourism Department in that regard so that proper lighting arrangement would be there in the Boating Club area immediately and necessary compliance report shall be submitted on the next date. They have also assured that in coordination with Asst. Commissioner of Police, Traffic, Cuttack, immediate steps shall be taken to see that no vehicles are parked close to wire mesh fencing of Taladanda main canal from Jobra to College Square.

List this matter on 24.10.2024.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

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05.10.2024

NON-OPENING OF SECTOR-11, C.D.A.
BIJU PATTNAIK PARK

During the course of deliberation, Mr. Bijaya Kumar Dash, learned President of the High Court Bar Association places on record a news item relating to alleged non-opening of Sector-11, C.D.A. Biju Pattnaik Park, notwithstanding huge amount being spent for its



renovation, leading to wide spread resentment. Such news item is taken on record.

Let a report in this regard be submitted to this Court both by the C.M.C. as well as Nodal Officer of the District Administration indicating if the work relating to the park has been completed as per the approved plan and if so, why it is not being opened for the public.

List this matter on 24.10.2024.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

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05.10.2024

RECKLESS DRIVING OF THE DRIVER OF 'MO BUS'

The Advocates' Committee raised concern regarding reckless driving of public transport 'Mo Bus'. It is brought to the notice of the Court that on account of such driving accident happened in the past and therefore, intervention of the Court is being sought.

Keeping in view the concern expressed, Mr. Pattnaik, learned Government Advocate so also Mr. Raj, the Nodal Officer of the District Administration assures this Court that necessary corrective measures shall be taken and the drivers of the 'Mo Bus' shall be sensitized to drive at an appropriate speed more particularly inside the City keeping in view the traffic congestion.



Compliance report to that effect shall be submitted by the next date.

List this matter on 24.10.2024.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge