



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*

*Mr. Bijay Kumar Dash,
Amicus Curiae*

-versus-

State of Odisha & others Opp. Parties

*Mr. Manoj Kumar Mishra ,
Senior Advocate
President, OHCBA*

*Mr. Avijit Pattnaik, Advocate
Secretary, OHCBA*

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

*Mr. Partha Sarathi Nayak,
Addl. Govt. Advocate*

CORAM:

JUSTICE S.K. SAHOO

JUSTICE V. NARASINGH

ORDER

16.05.2025

Order No.

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



239.
16.05.2025

As per order dated 02.05.2024, we included the President and Secretary of the High Court Bar Association in the Advocates Committee to assist us in their official capacity for effective adjudication of different civic issues. The newly elected President Mr. Manoj Kumar Mishra, learned Senior Advocate and Secretary Mr. Avijit Pattnaik of Orissa High Court Bar Association shall assist this Court and their names shall be reflected in the order sheet henceforth.

An Advocates Committee has been formed as per the orders of this Court previously. We request the learned President so also Secretary of the High Court Bar Association to revisit the list and furnish a fresh list of Advocates of different wards of Cuttack Municipality who are interested to be a part of Advocates Committee, to highlight the problems in their respective wards for effective adjudication.

Learned President so also the Secretary of the Orissa High Court Bar Association who graciously attended the proceeding on our request, assured us to provide such list of Advocates by the next date.

Mr. Bijay Kumar Dash, Advocate, Ex-President of Orissa High Court Bar Association, who has contributed immensely to assist this Bench in the past in solving different civic issues of Cuttack City, is



appointed as Amicus Curiae and in view of his vast experience, he is requested to guide the Advocates Committee in future.

Er. N.K. Mohanty, learned Amicus Curiae shall continue to assist this Court.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

S.C.B. MEDICAL COLLEGE AND HOSPITAL
PROBLEMS

Procurement of MRI machine for Neuro Surgery
Department of SCBMCH, Cuttack:

240.
16.05.2025

Pursuant to the order no.234 dated 16.01.2025, Mr. Bibhu Prasad Tripathy, learned Senior Advocate appearing for OSMCL has produced the written instruction regarding status of procurement of equipments in SCBMCH, Cuttack.

(i) Procurement of 3T MRI machine:

It is stated that the purchase order for the 3T MRI machine was issued on 29.01.2025. The timeline for supply of the machine to SCBMCH, Cuttack is by end of May, 2025.



It is further stated that for the installation of 3T MRI machine, required site modification work is under process at SCBMCH, Cuttack. The site handover work has not yet been completed.

Dr. Goutam Satapathy, Superintendent, SCBMCH, Cuttack is present through virtual mode and stated that site has already been selected. Technical experts are available for operating the machine.

An affidavit shall be filed by the next date by the Superintendent, SCBMCH, Cuttack regarding status of operation of 3T MRI machine. Copy of the affidavit shall be served on the respective parties in advance.

List this matter on 19.06.2025.

(ii) Procurement of 128 Slice CT Scan machine for Radiodiagnosis Department, SCBMCH, Cuttack:

It is stated that the purchase order for two nos. of 128 Slice CT scan machine was issued on 29.01.2025. The timeline for supply of the machine to SCBMCH, Cuttack is by end of May, 2025. It is further stated that for the installation of the machines, required site modification work is under process at SCBMCH, Cuttack. The site handover work has not yet been completed.



Dr. Goutam Satapathy, Superintendent, SCBMCH, Cuttack is present through virtual mode and stated that site has already been selected. Technical experts are available for operating the machine.

An affidavit shall be filed by the next date by the Superintendent, SCBMCH, Cuttack regarding status of operation of 128 Slice CT scan machines. Copy of the affidavit shall be served on the respective parties in advance.

List this matter on 19.06.2025.

(iii) Procurement of computerized ultrabrief ECT machine for Mental Health Institute of SCBMCH, Cuttack:

It is stated that against the re-tender floated for 14 nos. of computerized ultrabrief ECT machine (previous tender being non-responsive), the price bid was opened and the price has been finalized. It is further stated that the finalized price placed in High Level Procurement Committee dated 29.04.2025 was approved. It is further stated that the purchase order will be issued by 17th of May, 2025 and timeline for supply will be 3rd week of August, 2025.



Dr. Poma Tudu, I.A.S., Managing Director, OSMCL is present through virtual mode and assured this Court that the procurement of such machines will be expedited.

(iv) Procurement of Visual Perimeter for Ophthalmology Department of SCBMCH, Cuttack:

It is stated that the purchase order for procurement of visual perimeter was issued on 29.01.2025 and the said item has already been supplied to SCBMCH, Cuttack.

Dr. Goutam Satapathy, Superintendent, SCBMCH, Cuttack appearing through virtual mode submitted that the machine has not only reached, but also it has been made functional.

An affidavit shall be filed by the next date by the Superintendent, SCBMCH, Cuttack regarding status of operation of visual perimeter. Copy of the affidavit shall be served on the respective parties in advance.

List this matter on 19.06.2025.

(v) Procurement of Echo Machines for patient care, Cardiology Department of SCBMCH, Cuttack:

It is stated that purchase order for two



nos. of Echo Machines for Department of Cardiology, SCBMCH, Cuttack was issued on 27.01.2025. These machines will be supplied after receipt of PC-PNDT approval. It is further stated that application has already been submitted to CDMO, Cuttack for issuance of PC-PNDT approval.

CDMO, Cuttack shall grant necessary approval by end of May, 2025.

Dr. Poma Tudu, I.A.S., Managing Director, OSMCL shall file an affidavit by the next date relating to the status of procurement of the machines.

List this matter on 19.06.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

**BEAUTIFICATION AND EXPANSION WORK OF
TALADANDA CANAL:**

241.
16.05.2025

As per the order no.224 dated 12.12.2024, Mr. Debasis Nayak-A, learned counsel for the C.M.C. has produced the status report dated 16.05.2025 issued by the Superintending Engineer, Cuttack (R & B) Division No.1, which is taken on record.



Mr. Ashish Kumar Nayak, Superintending Engineer, Cuttack (R & B) Division No.1 is present through virtual mode.

In the status report, it is stated that the G.M., WATCO has been requested vide office letter dated 03.04.2025 to complete the ongoing drain work and restoration of the road to its original condition before 31st May 2025.

It is further stated that railway portion work from railway line to Matrubhawan road has been completed.

It is further stated that the balance portion of the road work from N.H. to Nuabazar (right embankment) remains to be completed is 150 meters. Near N.H. over bridge and towards Nuabazar, 300 meters has been completed by Cuttack R & B Division No.I up to BT standard and traffic allowed for use of public. Superintending Engineer, Mahanadi South Division No.I, Cuttack has been requested vide letter dated 09.04.2025 to repair the damaged BT surface and remove construction material/morrum stacked both side of berm by the executing agency of WR Department.

The learned State Counsel shall instruct the authorities of WR Department to do the needful in that respect and a responsible officer of WR



Department shall file an affidavit in that respect by next date giving copy to all concerned.

It is further stated that the work from Nuabazar to Biribati (right embankment) is under progress. The total 6.820 km of road work has been completed out of 6.900 km. The balance 80 meters (Dihasahi 30 mts + Tinigharia 50 mts) will be completed by May, 2025 after shifting of electrical utility at Tinigharia which is under progress.

It is further stated that the beautification work of Taladanda Canal road is being taken up by C.M.C. Mr. Anam Charan Patra, Commissioner, C.M.C. and Mr. Atanu Samanta, City Engineer, C.M.C. have assured this Court to complete the work by end of June, 2025.

List this matter on 03.07.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

**WIRE MESH FENCING AND DAMAGE FOOTPATH
ON BOTH SIDES OF TALATANDA CANAL:**

242.
16.05.2025

As per order no.203 dated 28.11.2024, basing on the report of the Advocates' Committee that there are eight nos. of bridges which connects



both side of the roads of Taladanda Canal from Jobra to Matrubhawan Chhak, out of which only two nos. of bridges were fenced with wire mesh fencing and in the rest six nos. of bridges, there are no wire mesh fencing, we had asked the C.M.C. authorities to complete the fencing by end of January, 2025 and to file the compliance report.

The purpose of putting wire mesh fencing and display of sign boards by the side of Taladanda Canal is for public awareness purpose, requesting the public not to throw garbage into the Taladanda Canal.

Mr. Atanu Samanta, City Engineer, C.M.C. stated that out of eight nos. of bridges, wire mesh fencing works have been completed in six nos. of bridges and the remaining two shall be completed by 1st week of June, 2025.

List this matter on 03.07.2025.

The City Engineer, C.M.C. shall file a compliance affidavit by the next date serving copies on all concerned.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



MAINTENANCE OF BEAUTY OF TALADANDA CANAL:

243.
16.05.2025

The learned members of Advocates' Committee raised a grievance that there is unauthorized parking of two wheelers and four wheelers on both the side of Taladanda Canal adjacent to wire mesh fencing which is blocking the view of Taladanda Canal and also leading to traffic congestion. Even though boards were put by the authorities concerned not to park the vehicles and to impose fine, but in absence of regular monitoring, the situation has gone worse.

Mr. Khilari Rishikesh Dnyandeo, I.P.S., D.C.P., Cuttack appearing through virtual mode has assured that steps shall be taken immediately to remove the unauthorized parking of vehicles and police patrolling will be made regularly and fine will be imposed on the erring persons.

As per the order no.237 dated 16.01.2025, the D.C.P., Cuttack shall monitor the traffic in the Urban Hat area, Chhatrabazar and not to allow the vehicles to be parked in front of the Hat in such a way to lead traffic congestion and to disturb free movement of the vehicles.

A news item has been published today in a leading Odia daily newspaper under the heading of



"ADALATNKA NIRDESHAKU MANUNI C.M.C.: MUKULA DRAIN SAHA KUDHA KUDHA ALIA" which is brought to our notice wherein it is highlighted how the stacking of garbage at Urban Hat Chhatrabazar and near the box drain area by the vendors are creating sanitation issues and environmental pollution.

The City Engineer of C.M.C. as per the aforesaid order no.237 dated 16.01.2025 was directed to see that the garbage are not stacked in front of Urban Hat and also in its vicinity and regular cleaning and sanitation activities to be carried out everyday number of times so that persons coming to Urban Hat should not face any kind of inconvenience.

The D.C.P., Cuttack shall file an affidavit regarding enforcement of parking regulation so also the traffic management in the Urban Hat area.

The City Engineer, C.M.C. shall file an affidavit regarding the steps taken for clearance of garbage stacked in front of Urban Hat so also in the vicinity and in and around the box drain as reported in the news item.

Put up this matter on 03.07.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



**NEWS ITEMS PUBLISHED MAINLY IN DAILY
NEWSPAPERS RELATING TO CIVIC ISSUES OF
CUTTACK CITY**

244.
16.05.2025

On day to day basis, in different newspapers, particularly in local dailies, news items are published relating to different civic issues of Cuttack City. Some of those issues are required to be dealt with immediately.

If such news items are forwarded by the High Court Bar Association in the official pad under the signatures of the learned President and Secretary of the Association either to the C.M.C. Commissioner, Cuttack through their empanelled advocate or to the A.D.M., Cuttack, who is the Nodal Officer of Collector, Cuttack, steps shall be taken to redress the issues without awaiting for the orders of the Court.

The learned President and Secretary of OHCBA, Cuttack shall produce the official letter issued to the aforesaid authorities with the news items so that steps taken in addressing those issues can be ascertained by this Court from the concerned authorities.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge