



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 C.M.C.*

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

CORAM:

JUSTICE S.K. SAHOO

JUSTICE V. NARASINGH



ORDER
07.08.2025

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

S.C.B. MEDICAL COLLEGE AND HOSPITAL PROBLEMS

LIVER TRANSPLANTATION ISSUE:

Order No.
291-A.
07.08.2025

A news item was published in Odia daily "The Samaja" on 10.07.2025 that liver transplantation cannot be held further in SCBMCH, Cuttack.

Another news item has been brought to the notice of this Court by the Advocate's Committee, which is published in Odia daily "The Samaja" on 05.08.2025 under the caption of "**SCB RE JAKRUTA PRATIROPANA, GARIBANKU UPAHASA, CHENNAI RE HEBA BABUNKA JAKRUTA PRATIROPANA, SARA KAR KHARCHA KARIBE 28.5 LAKHYA**" wherein it is stated that liver transplantation in S.C.B.M.C.H, Cuttack is a mockery qua the poor and Govt. official's liver transplant will be conducted in Chennai and Government has to spend Rs.28.5 lakh for such purpose. Only two liver transplantations were performed in this unit and it has been closed since then. Liver transplantation for the poor and needy



while not being done, twenty eight lakh & fifty thousand rupees has been demanded for liver transplant for an Indian Administrative Officer of Board Of Revenue, by issuing letter no. 28236/30.07.2025 to the Director of Medical Education and Training. It is further stated that while the Government officials are going out of State for treatment with Govt. fund, common people struggle with life and death. It is stated that the liver transplantation unit at S.C.B.M.C.H., Cuttack was set up in the year 2012. Although agreements were made with three institutions, it was later cancelled for some reason. After an agreement was made with the Asian Institute of Gastroenterology and AIG, Hyderabad in 2024, the first liver transplantation was performed in 2025. The news item is taken on record.

Another news item has been brought to the notice of this Court by the Advocate's Committee, which is published in Odia daily "The Sakala" on 07.08.2025 relating to the liver transplantation specifically refuting the stand taken before this Court that no patient has suffered because of lack of liver transplant.

The following news item relating to the issue of liver transplant was brought to the notice of



this Court. The above odia daily "The Samaj" reads thus:-

"SCB RE JAKRUTA PRATIROPANA, GARIBA NKU UPAHASA, BANCHIBARA ASHA TUTUCHI & PRASIKHYANA PAINATHIBA DACTAR NODAL OFFICER".

The news item published in "The Sakala" dated 07.08.2025 under the heading "CHARI MASA APEKHYA KARI AKHI BUJITHILE BRAHMANANDA" highlighting the death of a patient awaiting liver transplantation.

The Commissioner-cum-Secretary Health Government of Odisha as well as Superintendent of SCBMCH shall file affidavits regarding the above news item. Such affidavits shall be filed by 12.08.2025 after serving copy thereof on the learned Amicus Curiae and Secretary of the High Court Bar Association.

Copies of the news items have been furnished to the learned counsel for the State in Court today.

Since, we ignored the affidavit filed by Dr. Jyotirmay Nayak, Associate Professor, Department of General Surgery -cum- Addl. Medical Superintendent, S.C.B.M.C.H., Cuttack over this issue, let the Superintendent, SCBMCH, Cuttack so



also the Health Secretary file the affidavits by 12.08.2025 serving copy in advance to learned Amicus Curiae, the President/Secretary of the Orissa High Court Bar Association.

List this matter on 14.08.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

291-B.
07.08.2025

Functioning of Hematology
Department in S.C.B.M.C.H., Cuttack:

As per order dated 262 dated 11.07.2025, after taking into account the news item published in the New Indian Express dated 31st May 2025 under the heading of **STATE'S ONLY FREE BMT SERVICE AT SCB ON 'DEATH BED'**, we were apprised about the development by Ms. Aswathy S., I.A.S., Health Secretary, Govt. of Odisha, who stated, *inter alia*, that the Department has got consent of Dr. Prabodh Kumar Das, who has retired from AIIMS, for supervising haematology bone marrow transplant at S.C.B.M.C.H., Cuttack and that Dr. Das has given his willingness to be an honorary mentor for the team at S.C.B.M.C.H., Cuttack so that the Department would



be able to start transplant immediately. She further stated that the Department has proposed to enter into institutional partnership with best institutions in the Country for all transplant related operations at S.C.B.M.C.H., Cuttack.

A specific order was passed on 11.07.2025 while adjourning the matter to this day directing the Superintendent, S.C.B.M.C.H., Cuttack and the Health Secretary, Govt. of Odisha to file affidavits relating to the proper functioning of Haematology Department.

Neither the Health Secretary, Govt. of Odisha nor Superintendent, S.C.B.M.C.H., Cuttack nor the Health Secretary, Govt. of Odisha has filed any affidavit.

It is stated by Ms. Aruna Tripathy, Deputy Secretary, Family and Health Welfare Department appearing through virtual mode that the Health Secretary is on leave and she is likely to join office on 11.08.2025.

An affidavit dated 06.08.2025 has been filed by Dr. Jyotirmay Nayak, Associate Professor, Department of General Surgery -cum- Addl. Medical Superintendent, S.C.B.M.C.H., Cuttack.

When the order dated 11.07.2025 was specific as to who shall file the affidavits relating to



the proper functioning of Haematology Department, it is not understood why the affidavits have not been filed in consonance with such order.

Therefore, this Court ignores the affidavits filed by Dr. Jyotirmay Nayak, Associate Professor, Department of General Surgery -cum- Addl. Medical Superintendent, S.C.B.M.C.H., Cuttack.

List this matter on 14.08.2025.

The Superintendent, S.C.B.M.C.H., Cuttack so also the Health Secretary, Govt. of Odisha shall file their respective affidavits in consonance with the order dated 11.07.2025 relating to the proper functioning of the Haematology Department.

The affidavits shall be filed by 12.08.2025 (hard copy as well as soft copy).

The copies of the affidavits be furnished to the learned Amicus Curiae, the President/Secretary of the Orissa High Court Bar Association in advance.

REPORT OF ADVOCATES' COMMITTEE:

As per the order dated 11.07.2025 of this Court, the learned Advocates' Committee visited the Haematology Department of S.C.B.M.C.H., Cuttack and they have submitted a report today on the functioning of the Department, wherein it is stated, *inter alia*, as follows:



(i) That both the lifts of Bone Marrow Transplantation (for short, "BMT") Department are not functioning;

(ii) On visiting the Hematology Ward, the Committee found that there were only 20 beds available, but on the verandah about 100 patients were lying with saline on and taking chemotherapy. The Committee has annexed the photographs of the Ward which are really shocking;

(iii) In the Department, the Advocates' Committee came to know that the HOD was absent. Dr. Rajiv Kumar Nayak, Asst. Professor was in the Department, who told that one Dr. Rabindra Jena was the Professor who was duly trained to conduct BMT. During his tenure, BMT was being conducted regularly. After he retired, he was given extension by the Government of Odisha and he was continuing to conduct BMT. Later his extension got discontinued. Dr. Nayak further told that for conducting the BMT, a doctor needs to undergo special training and after completion of the special training and obtaining the certificate, the doctor can conduct BMT and such special training takes some months. It is reported that since after Dr. Jena's departure, the existing doctors including he himself are not trained, they are not able to conduct BMT on the patients. Dr. Subodh



Das who was present along with Dr. Nayak told that he was working in Sum Hospital and then shifted to AIIMS, Bhubaneswar and after retiring from AIIMS, Bhubaneswar, he is working again in SUM Medical College and Hospital located at Phulnakhara as Professor, Hematology. He stated that he is also a Certified Trained Doctor to conduct BMT and he has been appointed to supervise the BMT work by DMET. It is also stated that 20 patients are waiting for BMT. Dr. Nayak gave a list of what are the immediate requirements for smooth functioning of the BMT unit, which are as follows:-

- A. Scrub station for washing of hands and legs;
- B. Two rooms accommodating the unused articles are to be vacated;
- C. ABG Machine in house in the Unit;
- D. One USG with Echo probe;
- E. One Portable X-ray.

The Committee found that Dr. Subodh Das has been working in SUM Hospital which is a private hospital and BMT in private hospital costs about 30-40 Lakhs and his appointment to supervise the BMT work at SCBMCH, Cuttack may amount to conflict of interest. It is not appropriate to appoint a doctor working in private hospital to do work in Government



hospital. In such an event, there is a likelihood of compromising with the patient's treatment. Moreover, since none of the doctors are trained and are not capable to conduct BMT, Dr. Das's supervision will not help in any manner.

The Advocates' Committee gave the following suggestions:-

(i) The doctors posted in the BMT Unit of Hematology Department need to be trained for undertaking BMT without any further delay;

(ii) In the interest of the patients, till the doctors are duly trained and certified to conduct BMT, the previously trained doctor who had the expertise in conducting the BMT and was doing in SCBMCH, Cuttack till extension of his service was discontinued, be allowed to be retained provided he has not joined any private hospital;

(iii) Additional Space to be provided to indoor patients of the BMT Unit;

(iv) The Government be directed to meet the requirements as per the list given by Dr. Nayak.

The report is taken on record. A copy of the report has been furnished to the learned counsel for the State in Court today, who seeks some time to obtain instruction.



The affidavits which are supposed to be filed by the Superintendent, S.C.B.M.C.H., Cuttack and the Health Secretary by 12.08.2025 as aforesaid shall also indicate regarding the feasibility of implementation of the suggestions given by the Advocates' Committee.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

OPD TICKET REGISTRATION:

291-C.
07.08.2025

A news item was published in Odia daily "The Sambad" on 17.07.2025 under the caption of "**MADHYA RATRIRE BANDA RAHUCHI SCB ONLINE TICKET PANJIKARANA: SAMASYARE ROGI SAMPARKIYA**".

After considering the written instruction produced by the learned counsel for the State received from Medical Superintendent, SCBMCH, Cuttack that the online OPD registration is being done from 12.00 a.m. in the night to 3.00 p.m. in the day time, however, keeping in view the inconvenience faced by the patients, the matter has been brought to the notice of the Director of Health



Services, Odisha and that the system to enable 24x7 OPD tickets registration is being worked out in consultation with Odisha Computer Application Centre (OCAC), we passed the order on 18.07.2025 directing the matter to be listed today so that the Superintendent, SCBMCH, Cuttack shall apprise us regarding the development made in that respect.

Let the Superintendent, SCBMCH, Cuttack file an affidavit in this respect by 12.08.2025 serving copy in advance to learned Amicus Curiae, the President/Secretary of the Orissa High Court Bar Association.

List this matter on 14.08.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

**ABSENCE OF SHED FOR THE PATIENTS
AND THEIR RELATIONS IN
PATHOLOGY DEPARTMENT:**

291-D.
07.08.2025

A news item was published in the odia daily "The Samaj" on 13.07.2025 under the heading of "**SCB NIDAN KENDRA RE ABYABASTHA - MUNDA UPARE NAIHIN CHHATA, ODA**



HEUCHANTI ROGI”.

After hearing the Superintendent, S.C.B.M.C.H., Cuttack as well as the Superintending Engineer, R & B, Division-I, Cuttack, who assured this Court that steps shall be taken for construction of the shed in the Pathology Department for the patients and relatives who are exposed to sun and rain while standing in the queue to give samples of blood for testing and to collect the report, on 18.07.2025, we adjourned the matter to today and asked both the Superintendent, S.C.B.M.C.H., Cuttack and the Superintending Engineer, R & B, Cuttack to apprise us about the development in that regard.

Let the Superintendent, SCBMCH, Cuttack file an affidavit in this respect by 12.08.2025 serving copy in advance to learned Amicus Curiae, the President/Secretary of the Orissa High Court Bar Association.

List this matter on 14.08.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



NON-FILING OF AFFIDAVIT BY THE SUPERINTENDENT, S.C.B.M.C.H.

291-E.
07.08.2025

The following issues relating to S.C.B.M.C.H. were slated to be taken up today. They relate to;

- (i) OPD ticket registration
- (ii) Absence of shed for the patients and their relations in Pathology department
- (iii) Basic facilities not being made available to the relative of the patients in S.C.B.M.C.H.
- (iv) Issues relating to the Trauma Care Centre.

Since affidavit as directed by the Superintendent, S.C.B.M.C.H. has not been filed, in violation of the direction of this Court the consideration of these issues are deferred.

The learned Additional Government Advocate assures this Court that the affidavit by the Superintendent regarding aforementioned issues shall be filed on 12.08.2025, after serving a copy thereof on the learned Amicus Curiae as well as the Secretary of the High Court Bar Association.

Accordingly, list this matter on 14.08.2025.

Before parting for the day, this Court places on record its disapproval regarding non-filing



of the affidavit by the Superintendent.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

291-F.
07.08.2025

A news item has been published in Odia daily "The Samaja" on 23.07.2025 under the caption of "**CUTTACK BADA DAKTARAKHANA : ROGI SAMPARKIYANKU MILUNI MOULIKA SUBIDHA**" (Basic facilities are not made available to the relatives of patients in SCBMCH, Cuttack).

On 25.07.2025, the Superintendent, SCBMCH, Cuttack assured this Court proper mechanism would be chalked out to see that only the patients' attendants would enter the rest room and adequate measures would be taken to deploy security personnel and CCTV cameras would be installed in the rest room for such purpose and he was directed to file an affidavit on the following issues:-

(i) How many posts of doctors are lying vacant and in which department (s)?

(ii) How the duty hours of the doctors and staffs are being regulated?



(iii) What type of actions are being taken against the doctors and staffs who are found neglecting their duties and not remaining present in the hospital in the duty hours?

(iv) What are the facilities available in each of the departments for the attendants?

(v) What type of safety measures are being taken for the attendants of the patient(s) who remain with them, particularly in the night hours?

Since, we have ignored the affidavit filed by Dr. Jyotirmay Nayak, Associate Professor, Department of General Surgery -cum- Addl. Medical Superintendent, S.C.B.M.C.H., Cuttack over this issue, let the Superintendent, SCBMCH, Cuttack file the affidavit by 12.08.2025 serving copy in advance to learned Amicus Curiae, the President/Secretary of the Orissa High Court Bar Association.

List this matter on 14.08.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

291-G.
07.08.2025

A news item has been published in Odia daily "The Samaja" on 05.08.2025 under the caption



of **“CHATAPATA HELE ROGI O SAMPARKIYA : TRAUMA CARE RA AC ACHALA, ORTHOPEDICS RE PANI SAMASYA”** (The patient and relatives are suffering, AC in Trauma Care Unit is out of order, water problem in Orthopedics Department), wherein it is stated that due to bursting of pipe connection, the waste from toilet were lying near the water department, for which, the patients and their relatives were in distress condition. On 04.08.2025, fifteen numbers of ACs installed in the trauma casualty department of S.C.B.M.C.H., Cuttack suddenly became dysfunctional and simultaneously water problem was there in the Orthopedics Department. After this incident came to notice, the medical authorities showed promptness. The ACs were immediately repaired. Similarly, the authorities informed that arrangements are being made to provide water service. It is further stated that as per the information that, irregularities were observed in the Orthopedics Department so also the trauma casualty ward of S.C.B.M.C.H., Cuttack. Fifteen nos. ACs were out of order in the trauma casualty ward. As a result, the critically-ill patients, who had been the victims of accidents were left struggling in unbearable heat and humidity. It is mandatory to run AC for 24 hours here. Out of the 15 ACs installed in



casualty, 9 were window ACs and 6 were split ACs; but the ACs became dysfunctional one after another and those were not repaired. It is further stated that as a result, all the ACs were damaged on Monday. Similarly, the patients and their relatives are facing hardships as there was no water in the taps of the Orthopedics Department. The drain water pipe burst and the patients and their relatives are facing problems in moving through the said route.

Let an affidavit be filed by the Superintendent, S.C.B.M.C.H, Cuttack to that effect by 12.08.2025 serving copy in advance to learned Amicus Curiae, the President/Secretary of the Orissa High Court Bar Association.

List this matter on 14.08.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

**SARDAR VALLABHBHAI PATEL POST GRADUATE
INSTITUTE OF PAEDIATRICS - SISHU BHAWAN:**

292-A.
07.08.2025

News item was published on 17.07.2025 in the vernacular daily "The Sambad" under the heading of "**SISHU BHAWAN KOTHARE DURNITI**



GANDHA - HATA MARILE KHASI PADUCHI TILE”.

As per order no.267 dated 18.07.2025, the Superintendent of Sishu Bhawan was directed to apprise the Court about the development in this regard.

Professor (Doctor) Pravakar Mishra, Superintendent, SVP PGIP stated that further lapses which came to the fore were brought to the notice of the Superintending Engineer, R & B, Division No.-I, Cuttack.

Md. Shahbaz, the Superintending Engineer, R & B, Division No.-I, Cuttack who is also present on virtual mode intimates that repair work has already started and is likely to be completed by 15.08.2025.

Accordingly, list this matter on 04.09.2025, by which date, the Superintending Engineer, R & B, Division No.-I, Cuttack shall file an affidavit indicating the completion of the deficiencies pointed out by Professor (Doctor) Mishra, Superintendent, Sishu Bhawan and also file a certificate indicating that the new building of Sishu Bhawan is safe in all respects.

It is brought to the notice of this Court by



Professor (Doctor) Mishra, Superintendent, Sishu Bhawan that an amount of Rs.59 lakhs was placed at the disposal of TPCODL as early as in February 2025 to remove a big electric pole, which is in front of the main gate of Sishu Bhawan (Kathajodi side) which is creating difficulty for the movement of one and all.

Mr. Amarjit Pattanaik, Superintending Engineer, TPCODL appearing through virtual mode submits that the task has already been assigned to another project team. He assures this Court that the issue shall be resolved by 31.08.2025.

An affidavit shall be filed by the Superintending Engineer, TPCODL by 02.09.2025, so that, the matter can be taken up on 04.09.2025.

List this matter on 04.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

292-B.
07.08.2025

OPEN POND IN SISHU BHAWAN:

It was brought to the notice of this Court that there is an open pond without any barricade in front of the OPD and there is apprehension that



some untoward incident may take place.

On 18.07.2025, Md. Shahbaz, Superintending Engineer, R & B Division No.1, Cuttack assured this Court that steps would be taken to address this issue and the progress in this regard shall be intimated to this Court.

Md. Shahbaz, Superintending Engineer, R & B Division No.1, Cuttack is present through virtual mode and submitted that estimate for barricading the open pond has been submitted and on approval the works shall commence.

The learned counsel for the State submitted that the estimate submitted for barricading the open pond is Rs.81 lakhs and necessary steps shall be taken to expedite the approval of the estimate.

The Advocates' Committee also brought to the notice of this Court regarding the poor maintenance condition of the wall and the pavement adjacent to the wall of Sishu Bhawan from Kathajodi river side.

The Superintending Engineer, R & B Division No.1, Cuttack shall file an affidavit regarding steps taken to address these issues and progress in this regard.



List this matter on 04.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

ISSUES & PROBLEMS OF CITY HOSPITAL

293.
07.08.2025

A news item was published in Odia daily "The Sambad" on 23.07.2025 under the caption of "**CITY HOSPITAL RE BICHITRA STITHI – ROGI DEKHIBAKU OUTDOOR RE DAKTARA NAKEDAM**".

As per order no.277 dated 25.07.2025, this Court directed the Superintending Engineer, R & B, Division-1 and the Superintending Engineer, TPCODL to make a joint inspection on 26.07.2025 to ensure that whatever issues are there regarding shifting of electricity sub-station so that there would not be any hindrance in the progress of construction work of special MCH (Matru Mangal Gruha) and further directed the Superintending Engineer, R & B Division-1 to file an affidavit indicating the progress made and the timeline for finishing each stage of the project and the affidavit to contain steps taken pursuant to the joint inspection of R & B and



TPCODL.

The Advocates' Committee was also requested to visit the City Hospital with previous intimation to the Superintendent through the Nodal Officer of this Court and suggest measures in writing to address the issue of constraint of space in OPD and they would also explore the possibility of suggesting alternative arrangement within the close vicinity.

Md. Shahbaz, Superintending Engineer, R & B Division No.1, Cuttack has filed an affidavit dated 07.08.2025 wherein it is stated as follows:

"3. That the work of "Construction of 100 Bedded MCH Complex (G+6) in City Hospital at Cuttack for the year 2022-23" has been awarded to Som Projects Private Limited. Super Class Contractor for an agreement amount of Rs.22,13,86.768.00 *vide* agreement No. 1136P1/2023-24. The date of commencement and stipulated date of completion as per contract was 30.11.2023 & 29.05.2025 respectively. There was delay in the commencement of the work due to various hindrances at site including dismantling of existing



medical buildings standing on the area of allotted construction and due to non-shifting of various utilities. The current position of work is that the 2nd floor roof slab is complete and 3rd floor column casting is in progress. Also Brick Masonry, plastering work is complete on the ground floor and 1st floor brick work is in progress. The plan of action for completion of work in all respect is 30.06.2026 as per following programme:-

I. 30-08-2025:

- i. 3rd floor Roof Slab Casting.
- ii. Ground floor Flooring & Putty Work.
- iii. 1st floor Brick work, Plaster, Door frame, Electrical & PH conducting work to be complete.

II. 30-09-2025:

- i. 4th floor Roof Slab Casting.
- ii. 1st floor Flooring & Putty Work.
- iii. 2nd floor Brick work, Plaster, Door frame, Electrical & PH conducting work to be complete.

III. 30-10-2025:



- i. 5'th floor Roof Slab Casting.
- ii. 2'nd floor Flooring & Putty Work.
- iii. 3'rd floor Brick work, Plaster, Door frame, Electrical & PH conducting work to be complete.

IV. 30-11-2025:

- i. 6'th floor Roof Slab Casting.
- ii. 3'rd floor Flooring & Putty Work.
- iii. 4'th floor Brick work, Plaster, Door frame, Electrical & PH conducting work to be complete.

V. 30-12-2025:

- i. Head room Roof Slab & Parapet wall to be complete.
- ii. 4'th floor Flooring & Putty Work.
- iii. 5'th floor Brick work, Plaster, Door frame, Electrical & PH conducting work to be complete.
- iv. Ground floor, 1st floor Flush door, Final Paint, Electrical wiring, Switch Board & PH fittings initialization to be done.

VI. 30-01-2026:

- i. Outer Side Plaster work 30% To Be done.
- ii. 6'th floor Brick work, Plaster,



Door frame, Electrical & PH conducting work to be complete.

iii. 2nd & 3rd floor Flush door, Final Paint, Electrical wiring, Switch Board & PH fittings initialization to be done.

VII. 28-02-2026:

i. Outer Side Plaster work 70% To Be done.

ii. 4th & 5th floor Flush door, Final Paint, Electrical wiring, Switch Board & PH fittings initialization to be done.

iii. Septic tank & Soak pit Construction to be start.

iv. Staircase & Ramp Railing Work start.

VIII. 30-03-2026:

i. Outer Side Plaster work 100% To Be done.

ii. 6th floor Flush door, Final Paint, Electrical wiring, Switch Board & PH fittings initialization to be done.

iii. Septic tank & Soak pit Construction complete.

iv. External Structural glazing &



Window Fixing Start.

IX. 30-04-2026:

- i. External paint & Texture work Start.
- ii. External Structural glazing & Window Fixing to be complete.
- iii. Plinth protection, Drain & External development Work Started.
- iv. Staircase & Ramp Railing Work start.

X. 30-05-2026:

- i. External paint & Texture work complete.
- ii. Internal Building Cleaning.

XI. 30-06-2026:

Completion of all minor ancillary work & ready to hand over.

The affidavit is taken on record.

This Court expects that the project in question shall be completed adhering to the time line as mentioned in the affidavit and quoted above.

The Advocates' Committee has also submitted its report after visiting City Hospital, wherein the requirements of equipments and machineries in Ophthalmology Department, Orthopedics Department, Surgery Ward, Radiology



Department, Pediatric Department and also Gynecology Department have been stated.

The Report of the Advocates' Committee is taken on record.

A copy of the said report has been furnished to the learned counsel for the State in Court today. He seeks some time to obtain instruction, particularly, relating to the communication made by the Superintendent, City Hospital to the Superintending Engineer, R & B, Division No.-I, Cuttack for renovation work of existing eye OT to modular eye OT and also for making provision of capsule lift.

Learned counsel for the State shall submit his response when the matter will be taken up on the next date.

List this matter on 04.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

ENFORCEMENT OF PARKING REGULATION AND TRAFFIC MANAGEMENT IN THE URBAN HAT AREA:

294.
07.08.2025

On 17.06.2025, the Commissioner, Cuttack Municipal Corporation filed a compliance



report regarding clearance of garbage in the Urban Hat area, which was disputed by the learned Amicus Curiae and as per order no.255 dated 03.07.2025, the Advocates' Committee along with the learned Amicus Curiae was requested to visit the Urban Hat area so also in the vicinity and in and around the box drain and file a fresh report.

Today, the City Engineer, C.M.C. has filed a compliance report dated 07.08.2025, wherein it is stated that 03 nos. of vats/pots have been constructed and facilitated at that site for temporary stacking of garbage which is being lifted on daily basis. It is further stated that 25 nos. of personnel, i.e. Sweeper- 16 nos., Loader- 4 nos., Driver- 2 nos. and Security Personnel- 3 nos., have been provided to the Urban Hat for sweeping and transportation of garbage.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

ABSENCE OF STREET LIGHT AND TRAFFIC CONTROL IN THE ROAD LEADING FROM JOBRA UP TO BIRIBATI TARINI TEMPLE

295.
07.08.2025

As per order no.204 dated 28.11.2024, the



learned counsel for the C.M.C. was directed to file compliance report regarding the fund amount of Rs.2.82 crores which has already been allotted to C.M.C. for completion of widening and strengthening work of the right embankment road of Taladanda Canal leading from Nuabazar to Biribati and floating of tender and technical evaluation which was likely to be issued by 15.12.2024 and the work was likely to be completed by April, 2025.

The City Engineer, C.M.C. has filed a compliance report dated 07.08.2025, wherein it is stated as follows:

“Regarding installation of street light, it is pertinent to mention here that, after removal of deposited earth and morrum material at Taladanda Canal side by Mahanadi South Division, Cuttack/ Odisha Construction Corporation Limited (OCCL), the work namely “Installation of Street Light at Taladanda canal embankment Road on Right Side (NH-16 to Nuabazar Fly Over)” was started and the same is now under progress. The expected date of completion of the said work is 31st August, 2025.



Similarly, another work namely "Installation of Street Light along left embankment of Taladanda Canal (NH-16 Junction to Nayabazar Fly Over)" has not yet been started due to non-completion of construction of Top Key wall of the Taladanda Canal which is being executed by Mahanadi South Division, Cuttack/Odisha Construction Corporation Limited (OCCL). So for expediting the construction of said Top Key wall and as per instruction of the Commissioner, CMC, a joint visit was done by Engineering Team of CMC, Mahanadi South Division, Cuttack and OCCL, Cuttack on dated 05.08.2025 to Taladanda Canal site. After observation of the site by the Team of Engineers, it was observed that a total number of 08 (Eight) out fall points have been identified which are currently discharging storm water into the Taladanda Canal for which it is obstructing the construction of Top Key wall. Hence, it was decided by team of Engineers that CMC shall make



necessary pumping arrangement for discharging of storm water temporarily to the Taladanda Canal till the construction of permanent drain parallel to Taladanda Canal side. So, CMC will close the 08 (Eight) numbers of out fall points so that the construction of Top Key Wall of Taladanda Canal executed by OCCL will not be hampered. The said temporary work will be completed by CMC within one month approximately, i.e. by 8th of September, 2025. After that, OCCL can be able to restart the execution of Top Key Wall of Taladanda Canal. Hence, after completion of the said Top Key Wall of Taladanda Canal, the Engineering Section of CMC will start the above mentioned Street Lighting work, i.e. from N.H-16 Junction to Nayabazar Fly Over.

It is further mentioned here that, R & B Division had earlier deposited, an amount of Rs.51 Lakh against the work namely "Installation Street Light from Taladanda Canal embankment road at Nayabazar Junction to Mattagajpur



Nuabandha Level Crossing (RHS)" with the estimated cost of Rs.1,48,96,000/-. In the meantime, R & B Division has deposited the balanced amount of Rs.97,96,000/- against the above mentioned work.

The said work will be started within 07 days after receiving of Additional Performance Security from the selected Bidders.

The expected date of completion of the said project is within 04 months as per agreement with the Bidder. Hence, it is expected that the said work will be completed by 15th December, 2025.

However, the canal road from Mattagajpur Nuabandha Level Crossing to Biribati Tarini Temple, which is approximately 03 Kms., is not coming under the CMC jurisdiction, which is required to be taken up by the PWD (R & B) Department, Cuttack."

Learned counsel for the State seeks some time to obtain instruction as to when PWD (R & B) Department, Cuttack will complete the work which falls on their part.



List this matter on 18.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

DRAINAGE CANAL NEAR MATRUBHAWAN :
INSPECTION REPORT:

296.
07.08.2025

As per the order of this Court, after making a joint site visit on 26.07.2025 at Matrubhawan site with Executive Engineer, CDD-I, TPCODL, Executive Engineer, CDD-2, TPCODL, General Manager, Drainage, WATCO, Sr. Divisional Engineer, East Coast Railway and learned Amicus Curiae and Mayor, C.M.C., Er. Amarjit Pattanaik, Addl. Chief Engineer (Electrical), Electrical Circle, TPCODL, Cuttack has submitted the inspection report dated 04.08.2025, wherein it is mentioned as follows:-

“During the site visit, it was found that the underground cable near Matrubhawan drainage canal has been shifted to other place, hence there will be no issue in cleaning of the drainage site by CMC Authority. Anyhow, during



cleaning process TPCODL staffs should be engaged in order to prevent any damage to the UG cable, on safety point of view.

At railway underpass area, the UG cable also temporarily reallocated to expedite the canal cleaning work by railway & WATCO. After completion of construction, the UG cable permanent arrangement will be done.

At Kalyannagar, the road towards Matgajpur, it was found that some of the excavated soil are kept by the side of the canal road which can be cleaned jointly by CMC in presence of TPCODL authorities in order to prevent the UG cables."

The inspection report submitted by the Addl. Chief Engineer (Electrical), Electrical Circle, TPCODL, Cuttack is taken on record.

This Court expects that the progress of work by different departments and authorities shall be carried out on priority basis taking into account the importance of the cleaning of drainage canal near Matrubhawan.



List this matter on 18.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

NEWS ITEMS

297.
07.08.2025

Two news items published in the odia daily "The Sambad" dated 07.07.2025 are brought to the notice of this Court.

One news item is under the heading of "**PALANA HEUNI NGTNKA NIRDESH : GADAGADIA GHATARE KUDHA KUDHA ABARJANA**". This news item highlights how the garbage are getting stacked at Gadagadia Ghat after the last Monday of Srabana month on account of the Kaudia taking water from Mahanadi River to different temples of Lord Shiva for performing water immersion and how it is polluting the water of river Mahanadi.

Ms. Kirandeeep Kaur Sahota, I.A.S., Commissioner, C.M.C. appearing through virtual mode assured this Court that within two days, the entire garbage stacked at Gadgadia Ghat shall be cleaned.



Another news item has been published under the caption of "**TALADANDA CANAL: SOUNDARJIKARAN RA BIPARJYASTA RUPA**" wherein nine photographs have been shown relating to stacking of garbage, waste dumping along the canal side, shrubs and bushes along the slope and pavement, weeds and vegetation and damage of pavement.

Ms. Kirandeep Kaur Sahota, I.A.S., Commissioner, C.M.C. appearing through virtual mode assured this Court that all necessary steps shall be taken by the C.M.C. in collaboration with others so that Taladanda Canal can be transformed into a clean, beautiful and vibrant space, enhancing the City's appeal and providing healthy recreational facilities.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge