



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
04.09.2025

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

S.C.B. MEDICAL COLLEGE AND HOSPITAL
PROBLEMS

Order No.
309-A.
04.09.2025

(i) Procurement of 3T MRI machine for
Neuro Surgery Department:

On 11.07.2025, Prof. (Dr.) Goutam Kumar Satpathy, Superintendent I/c., SCBMCH, Cuttack filed an affidavit dated 09.07.2025, wherein it was stated that all the components of 3T MRI machine have been supplied to the SCBMCH, Cuttack on 25th June, 2025 and since the installation and functioning of the machine involves manifold process, it would take more time to accomplish the installation of the machine most probably by the end of August, 2025 as suggested by the technical team at the site from the supplier.

Accordingly, as per order no.262 dated 11.07.2025, the learned counsel for the State was asked to apprise this Court about the installation of 3T MRI machine for Neuro Surgery Department in SCBMCH, Cuttack.

Mr. Debasis Nayak-A, learned Addl. Govt. Advocate has produced a letter dated 03.09.2025 of the Prof & HoD, Department of Radiodiagnosis, SCBMCH,



Cuttack addressed to the Medical Superintendent, SCBMCH, Cuttack, wherein it is stated that 3 Tesla MRI is high end equipment which requires proper placement of HVAC & power distribution equipment crucial to avoid magnetic interference with specialized RF shielding and appropriate cryogen exhaust ventilation. At present, the MRI scanner has been installed; however cabling, HVAC, configuration work is under progress and it takes lot of precision and strict magnetic structural requirement to ensure proper MRI scanning and provide diagnostic image quality of clinical relevance. It is further stated in the aforesaid letter dated 03.09.2025 that the process of installation and commissioning of 3T MRI scanner will be completed by end of December, 2025.

The letter dated 03.09.2025 is taken on record.

Dr. Mrs. Pooja Mishra, Prof & HoD, Department of Radiodiagnosis is present virtually and she stated that the cost of 3T MRI machine which has been procured would be Rs.26 crores. She submitted that all necessary steps shall be taken to expedite the process of installation and commissioning of 3T MRI machine.

Smt. Aswathy S., IAS, Secretary, Health & Family Welfare Department, Govt. of Odisha is present virtually and she also assured this Court to expedite the process of installation and commissioning of 3T MRI



machine.

Since a 3T MRI machine uses a strong 3-Tesla magnet to create detailed 3D images of the body's internal structures, offering higher resolution and faster scanning times, it is expected by this Court that considering its utility, the concerned authorities shall expedite the process of installation and commissioning of 3T MRI machine so that the patients can get its benefits.

List this matter in the 2nd week of January, 2026.

The Medical Superintendent, SCBMCH, Cuttack shall apprise this Court about the progress made in that respect on the next date.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

309-B.
04.09.2025

On the basis of news item published in local Odia daily "The Samaja" on 24.07.2025 under the caption of "**CUTTACK BADA DAKTARAKHANA: NIRAMAYARE MILUNI JARURI OUSHADHA, BADHUCHI ASANTOSH**" (Essential medicines are not available in Niramaya Centre causing dissatisfaction), the matter was taken up on 25.07.2025 and Prof. (Dr.)



Goutam Kumar Satpathy, Superintendent I/c., SCBMCH, Cuttack appearing through virtual mode, assured this Court to place digital boards in each Niramaya Centre in SCBMCH, Cuttack displaying as to what are the medicines available alphabetically and if stock of any medicine is not available, the same shall also be reflected in such digital boards so that the patients need not wait in queue for hours together and that the doctors are to prescribe generic medicines in the hospital medicine writing pads and not on plain paper.

Learned counsel for the State Mr. Debasis Nayak-A placed on record a communication dated 03.09.2025 from Chief Executive Officer, Odisha Computer Application Centre addressed to the Director, Directorate of Medical Education & Training (DMET) indicating the cost estimated of eight nos. of digital display boards. The same is taken on record.

It is stated on instruction by Mr. Nayak, learned Addl. Govt. Advocate that the matter will be pursued at the level of the DMET.

Prof. (Dr.) Goutam Kumar Satpathy, Medical Superintendent I/c., SCBMCH, Cuttack, who is present through virtual mode submits that since the total cost involved is Rs.11,42,240/-(rupees eleven lakhs forty two thousand two hundred forty), tender is likely to be



floated for this purpose and it may take some time to procure and install the same.

Learned Addl. Govt. Advocate is requested to furnish the time line within which, the tender can be floated and the digital boards can be installed at the designated places.

Accordingly, list this matter on 16.10.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

CARDIOTHORACIC VASCULAR SURGERY (CTVS)
AND ECMO UNIT OF CARDIOLOGY DEPARTMENT

309-C.
04.09.2025

As per order no.301 dated 21.08.2025, when this Court was apprised regarding unauthorized absence of Dr. Soumya Ranjan Das, Assistant Professor, CTVS for more than two years, response was sought for from DMET, but he pleaded his ignorance over this issue. Similarly, when this Court made a query regarding the payment of salary to the concerned doctor in spite of his unauthorized leave and initiation of any departmental proceeding, Medical Superintendent I/c., SCBMCH, Cuttack was unable to apprise this Court in that respect.

In the said order dated 21.08.2025, we also asked the Superintendent, SCBMCH, Cuttack to file an



affidavit regarding the following issues:

(i) To indicate the status of supply of equipments, requisitions of which were received from different departments from 15.03.2023 till June 2025 communicated to the DMET;

(ii) Total number of patients admitted to CTVS Department for open heart surgery year wise from the year 2023;

(iii) The present status of the aforementioned patients after completion of surgery;

(iv) Number of teams in the CTVS Department independently undertaking/conducting open heart surgery.

In the said order dated 21.08.2025, a responsible officer from OSMCL was also directed to file an affidavit on the following issues:

(i) The details of the letters received from the Superintendent, SCBMCH, Cuttack/DMET by which requisitions were made for necessary equipments and instruments;

(ii) The action taken by OSMCL in response to such requisitions, detailing therein the equipments and instruments already supplied; the ones still pending for the period from March, 2023 to June, 2025 in a tabular form.



Prof. (Dr.) Goutam Kumar Satpathy, Medical Superintendent I/c., SCBMCH, Cuttack is present through virtual mode and he has filed an affidavit dated 02.09.2025, wherein it is stated as follows:

(i) Regarding supply of required equipments and instruments for each department of SCBMCH, Cuttack, the HoDs of all departments of the hospital are asked to furnish the requirement of equipments and instruments for their respective departments. After receipt of requisitions from the departments, the Purchase Committee of the hospital headed by the Dean & Principal, SCBMCH, Cuttack approves the Equipment, Instruments and Furniture (EIF) as per the EIF guidelines and send to the DMET, Odisha for further course of action. A list of equipments and instruments pertaining to all departments sent to DMET, Odisha from March, 2023 to June 2025 has been annexed to the affidavit as Annexure-A;

(ii) It is further stated in the affidavit that regarding the issue of CTVS Department, the Prof & HoD, CTVS Department was requested vide letter No.19893 Dated 25.08.2025 to furnish the details relating to patients in the CTVS Department as directed by this Court. In this connection, the Prof. & HoD, CTVS vide letter No.400 dated 02.09.2025 has communicated the details of patients admitted to the department for open



heart surgery year wise with their status and team of doctors conducting the open heart surgery. Copies of letter No.19893 Dated 25.08.2025 and letter No.400 dated 25.08.2025 of Prof & HoD, CTVS, SCBMCH, Cuttack have been annexed to the affidavit as Annexure-B & C respectively.

The open heart surgery data of Department of CTVS, SCBMCH, Cuttack which has been given in a tabular form is as follows:

Year	Total Admission for Open Heart Surgery	*LAMA	Open Heart Surgery Performed	Death After Surgery	Discharge With stable cardiac status	Present Status Of Survived open heart surgery patient
2023	186	21	165	15	150	At present, we do not have complete follow up data of all the discharged patients. It will take 2 weeks time to complete the full data. After completion, we will share with the Hon'ble High Court, Orissa.
2024	181	46	135	24	111	
2025 (January to August)	138	53	85	26	59	

*LAMA- Left Against Medical Advice

It is indicated in the report that only one team is available in CTVS to conduct open heart surgery which consists of Surgeon, Anaesthetist in OT and Anaesthetist/Intensivist in ICU.



The Medical Superintendent, SCBMCH, Cuttack shall furnish the full data of the present status of survived open heart surgery patients. Every endeavor shall be made by the Govt. to form another team of competent doctors in CTVS to conduct open heart surgery taking into account its demand and costs likely to be incurred by the patients if it is conducted in any private hospital. Efforts shall also be made to counsel the patients who are taking admission for open heart surgery so that there would be reduction of LAMA cases. The cause of death after open heart surgery which is rising needs thorough investigation and the mortality risks may be lowered by engaging such patients in a supervised cardiac rehab programme to improve physical function, guiding them to follow all medications and imparting life style instructions (including diet and exercise).

Smt. Aswathy S., IAS, Commissioner -cum-Secretary to Govt., Health & Family Welfare Department, who is present online has filed an affidavit dated 04.09.2025, wherein it is stated as follows:

"4. The requisitions for procurement of EIF from different health facilities are examined basing on the financial prudence, clinical utility, correctness of technical specification, availability of trained manpower and site readiness and ensuring



availability of healthcare services at all Government health facility in an equitable manner.

5. Regarding non-supply of major and vital instruments and equipments to CTVS and ECMO unit after the year 2015, it is stated that from 2017 onwards, OSMCL has already supplied 20 types of Equipment, Instrument and Furniture (herein after referred as EIF) to the CTVS and ECMO unit of SCBMCH, Cuttack. Further, from March 2023 to June 2025, 31 types of EIFs have been supplied to various Departments including CTVS and ECMO unit of SCBMCH.

6. The OSMCL is in the process of procurement of EIFs requisitioned by SCBMCH, Cuttack. For the requisitions received from SCBMCH from March 2025 onwards is under process of evaluation by the State Equipment Management Committee.”

The affidavit dated 04.09.2025 of the Commissioner -cum- Secretary to Govt., Health & Family Welfare Department is taken on record.



**Unauthorized absence of Dr. Soumya Ranjan Das,
Assistant Professor, CTVS:**

So far as unauthorized absence of Dr. Soumya Ranjan Das, Assistant Professor, CTVS which was discussed in the order no.301 dated 21.08.2025 is concerned, learned Addl. Govt. Advocate has produced a letter no.20748 dated 03.09.2025 of the Medical Superintendent, SCBMCH, Cuttack wherein it is stated that Dr. Das is under the Administrative disposal of the office of the Dean & Principal, SCBMCH, Cuttack. As such, the Dean & Principal, SCBMCH, Cuttack was approached vide letter no.19616 dated 21.08.2025 seeking necessary information with regard to the unauthorized absence of Dr. Das from duty, salary status and initiation of departmental proceeding, if any. In this connection, the office of the Dean & Principal, SCBMCH, Cuttack while communicating to the DMET, Odisha, endorsed a copy to the office of Medical Superintendent, SCBMCH, Cuttack vide memo no.10945 dated 01.09.2025, wherein it was intimated that Dr. Das has joined as Asst. Prof. in the Department of CTVS, SCBMCH, Cuttack on 17.07.2023 FN. However, he did not submit any charge report under the prescribed OGFR-II. It is further stated that no salary/arrear salary has been drawn in favour of Dr. Das since his joining at SCBMCH, Cuttack. Further, Dean &



Principal, SCBMCH, Cuttack has communicated to the Medical Superintendent, SCBMCH, Cuttack vide letter no.11035 dated 03.09.2025 that departmental proceeding has been initiated against Dr. Das. Copies of the letter dated 25.08.2025 and 03.09.2025, article of charges under Annexure-I, statement of imputations under Annexure-II and list of witness under Annexure-III have been annexed to the letter.

The letter no.20748 dated 03.09.2025 of the Medical Superintendent, SCBMCH, Cuttack is taken on record.

Open Heart Surgery in Department of CTVS

During course of hearing, this Court was apprised that the surgeon, who is conducting the open heart surgery, is scheduled to retire next year.

The Commissioner -cum- Secretary assures this Court that the matter will be taken up at the level of the Govt. and she will intimate this Court regarding the steps taken to ensure that there is no dislocation and let up in the patient care so far as open heart surgery is concerned.

After going through the data relating to the open heart surgery, we find in 2023, out of the total 165 open heart surgery performed, 15 patients succumbed. Similarly, in 2024, out of 135 open heart surgery performed, 24 patients died and in 2025 (January to



August), out of 85 open heart surgery performed, 26 nos. of patients (which is almost 1/3rd) did not survive.

The Commissioner -cum- Secretary to Govt., Health & Family Welfare Department has assured this Court to make an audit of the reason of the mortality if it has not been done. The Superintendent, SCBMCH, Cuttack, however has stated that in fact review of the mortalities has been done. Let the Superintendent, SCBMCH, Cuttack place on record the minutes of the proceeding of such Death Review Board or whatever name, i.e., being used to arrive at the reason of such mortality by the next date.

It need not be emphasized that probe into the reason of mortality is of seminal importance and it will go a long way in instilling confidence in the patients to opt for open heart surgery at SCBMCH, Cuttack.

This issue shall be taken up on 25.09.2025.

Non-supply of equipments and instruments:

Regarding non-supply of equipments, an affidavit has been filed by Dr. Amitabh Prusty, General Manager-Operation (Equipment), Odisha State Medical Corporation Ltd.

Learned counsel appearing on behalf of OSMCL submits that in terms of the requisition as placed, the equipments are being supplied and in this context, the attention of this Court is drawn to Annexure-B, page 13



of the affidavit, wherein the equipments requisitioned by Department of Urology, Cardiology, Neurosurgery, Neurology, Pathology, Biochemistry etc. are reflected. As per the data, requisitions after being submitted by the DMET were approved by the State Equipment Management Committee (SEMC) on 31.05.2023, but tentative timeline of issuance of purchase order is stated as September 2025 which is more than two years after such approval.

In fact, the affidavit is not clear as to why there is time lag of more than two years for placing purchase order after SEMC admittedly approved it.

Since the affidavit does not throw any light regarding the patent delay in this regard, OSMCL is called upon to clarify the same by filing a detailed affidavit in that regard. A copy of such affidavit shall be filed at least two days before the next date of sitting so that the same can be perused by all concerned.

Smt. Aswathy S., IAS, Commissioner -cum- Secretary who is present through virtual mode sought to explain the delay by taking this Court through the process adopted for procurement of equipments and instruments requisitioned by Govt. hospitals across the State. However, the affidavit filed by her is silent regarding the same. The Commissioner-cum-Secretary, Health & Family Welfare Department is called upon to file



an affidavit outlining in detail the process followed for procurement of such medical instruments and equipments including the process followed in cases of emergency. The affidavit shall be filed in advance before the next date of sitting, as indicated above.

List this matter on 25.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

LIVER TRANSPLANTATION ISSUE

309-D.
04.09.2025

As per order no.302 dated 21.08.2025, Mr. Debasis Nayak, learned Addl. Govt. Advocate was called upon to apprise this Court about the development made on this issue.

Smt. Aswathy S., IAS, Commissioner -cum-Secretary to Govt., Health & Family Welfare Department has filed an affidavit dated 04.09.2025 along with the minutes of the meeting for review of preparedness of the 3rd liver transplant held on 01.09.2025 is taken on record.

In the affidavit it is stated that all required equipment, instruments, ICU and OT facilities are functional and ready. Experienced faculty and staff from



earlier transplants will be deployed during procedures. Surgeons, critical care specialists and nurses from all Medical Colleges are being deputed for exposure training to ensure continuity of the programme.

It is further stated that as an interim arrangement, a two-member team from AIG shall visit to provide guidance and hands-on-training in minor liver surgeries with a view to maintain continuous OT functioning. Screening of patients is ongoing; upon identification of suitable donor-recipient pairs, cases will be finalized in consultation with AIG experts. Post-operative care, follow-up and free medicines will be ensured through *Niramaya*.

Clinical Hematology Department:

In the aforesaid affidavit dated 04.09.2025, it is stated that as assured in the meanwhile, one ward with seven additional beds have been arranged in the Pediatric Oncology ward of AHPGIC, Cuttack and three patients have already been admitted and treated. It is stated that at present, there are no pediatric patients "accommodated on the floor in the clinical Hematology Department", which was the concern expressed during the last deliberation.

This Court places on record its deep sense of appreciation for the initiative taken by the State



Authority in responding to the needs of the children.

The learned Advocates' Committee is requested to make a visit and submit a report in this regard.

Bone Marrow Transplantation:

In the aforesaid affidavit dated 04.09.2025, it is stated that BMT has commenced for one patient detected with multiple myeloma at present. He is undergoing an autologous BMT in the department of Clinical Hematology, which is expected to be completed in two weeks.

It is further stated that the Department of Clinical Hematology is managing cases of blood-related malignancies, with multiple myeloma patients being taken up for BMT. Faculty strength shall be augmented with the return of two DNB candidates in October; training support has been requested from Tata Medical Centre, Kolkata. Technical guidance is being provided on honorary basis by Dr. Prabodh Kumar Das, an expert in BMT.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



FACILITIES AND STAFFING AT SCBMCH, CUTTACK

309-E.
04.09.2025

As per order no.303 dated 21.08.2025, learned counsel for the State was called upon to apprise this Court about the development made in the meantime regarding the appointment and posting of the remaining candidates recommended by OPSC.

Mr. Debasis Nayak, learned Addl. Govt. Advocate has produced the letter no.HFW-MEI-CASE-0062-2024/25456 dated 02.09.2025 of Commissioner -cum- Secretary to Govt., Health and Family Welfare Department addressed to learned Advocate General, Odisha, wherein it is stated that pursuant to OPSC Advt. No.29 of 2023-24 for recruitment of 102 Assistant Professors in 23 disciplines of Broad Speciality, 12 Assistant Professors in 07 disciplines have already been appointed and posted at different Government Medical Colleges vide Health & Family Welfare Department Notification No.16697 dated 06.06.2025. For the remaining 77 candidates recommended by OPSC in 16 disciplines, counselling is being conducted by the DMET, Odisha from 1st September, 2025, with the approval of the Govt. and on completion of the counselling process, appointment and posting orders will be issued to the candidates.

It is further stated in the letter that similarly,



pursuant to OPSC Advt. No.15 of 2022-23 for recruitment of 09 Assistant Professors in 08 disciplines of Super Speciality, OPSC has recommended 07 candidates in 06 disciplines. Counselling for these candidates is also being conducted by the DMET, Odisha from 1st September, 2025 with the approval of the Govt. and thereafter, appointment and posting orders will be issued to the OPSC-recommended candidates.

The aforesaid letter dated 02.09.2025 is taken on record.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

SARDAR VALLABHBHAI PATEL POST GRADUATE
INSTITUTE OF PAEDIATRICS - SISHU BHAWAN

310-A.
04.09.2025

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**".

Md. Shahbaz, the Superintending Engineer, R & B, Division No.-I, Cuttack who is present on virtual mode has filed an affidavit dated 03.09.2025, wherein it is stated as follows:



"3. The work "Construction of Multi-Utility Complex and P.G. Students Hostel at Sardar Vallav Bhai Patel Post Graduate Institute of Paediatrics (SVPPGIP), Sishubhawan, Cuttack in the State of Odisha on Turnkey basis" was awarded to M/s. Bridge & Roof Co. (India) Ltd. *vide* Agreement No.SBD-01 of 2018-19 on Turnkey basis with date of commencement 27.02.2019 and stipulated date of completion 26.02.2021. The actual date of completion for the above-mentioned work was 31.12.2022. The defect liability period is up to 31.12.2025 as per conditions of contract. The re-fixing of some tiles in the corridors of 4th, 5th & 6th floor was undertaken as per requirement of periodical maintenance work and it was completed on 15.08.2025 along with other required maintenance works as stated below.

(i) Re-fixing and replacement of some wall tiles in the corridor of 4th, 5th & 6th Floor;

(ii) Cleaning of roof and drainage spouts;



(iii) Replacement of damaged false ceiling panel and repair of door and windows etc.

4. As regard to safety of the building is concerned, it is to state that after award of work to M/s. Bridge & Roof Co. (India) Ltd. for construction of the above mentioned work, the structural drawing was vetted by IIT Madras and after that construction work began. The building safety certificate has been enclosed as submitted by M/s. Bridge & Roof Co. (India) Ltd. *vide* letter No. BANDR/SVPPGIP/51155/1287 dated 02.09.2025 as Annexure-A.”

Er. Amarjit Pattanaik, Additional Chief Engineer (Elect.), Electrical Circle, TPCODL, Cuttack is present in virtual mode and places on record the action taken report dated 02.09.2025 relating to shifting of 11KV / UG Cable in front of Sishu Bhawan Gate on 25.08.2025 which was obstructing the free movement.

During the course of hearing, a letter issued by Dr. S.K. Satapathy, Superintendent of SVPPGIP, Cuttack dated 08.08.2025 addressed to Mr. Md. Shahbaz, Superintending Engineer, Cuttack (R&B) Division No.1 was placed on record regarding installation of Glow Shine Board for newly constructed G+6 Multiutility Building &



Hostel Building of SVPPGIP, Cuttack.

Md. Shahbaz, Superintending Engineer, Cuttack (R&B) Division No.1 who is present virtually assures this Court that necessary steps in this regard shall be taken within a period of two weeks.

List this matter on 25.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

OPEN POND IN SISHU BHAWAN

310-B.
04.09.2025

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.

Md. Shahbaz, the Superintending Engineer, R & B, Division No.-I, Cuttack who is present on virtual mode has filed an affidavit dated 03.09.2025 wherein it is stated as follows:

"6. The estimated amount of Rs.81.93 lakhs was submitted to the Superintendent, SVPPGIP for administrative approval on 01.08.2025. But, however, Online Tender has been invited on 11.08.2025 keeping in



view of the urgency of the matter pending administrative approval for the estimate. The agreement will be drawn and work will be taken up after approval of estimate. Technical bid was opened on 01.09.2025 and is under evaluation. Financial bid shall be opened by 15.09.2025 and work order will be issued immediately after administrative approval is given. A copy of Tender Call Notice dated 11.08.2025 has been annexed to the affidavit as Annexure-B."

So far as poor maintenance condition of the wall and pavement adjacent to the wall of Sishu Bhawan from Kathajodi river side is concerned, Md. Shahbaz, the Superintending Engineer, R & B, Division No.-I, Cuttack in his affidavit stated as follows:

"8. As regard to the poor maintenance condition of the wall and pavement adjacent to the wall of Sishu Bhawan from Kathajodi river side is concerned, it is to state that the road condition in front of Sishu Bhawan from Kathajodi river side is having good surface riding quality but however due to



stacking of materials like old electric poles and ongoing electrical shifting work by TPCODL adjacent to the road, the road footpath and median couldn't be maintained up to standard for which letter has been issued to GM, TPCODL *vide* letter No.12281 dated 16.08.2025. A copy of letter No.12281 dated 16.08.2025 has been annexed to the affidavit as Annexure-E."

The affidavit of the Superintending Engineer, R & B, Division No.-I, Cuttack is taken on record.

List this matter on 25.09.2025.

Learned counsel for the State shall apprise this Court about the development made in the meantime.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

**CONSTRUCTION OF HIGH BOUNDARY WALL
AROUND SVPPGIP, CUTTACK CAMPUS**

310-C.
04.09.2025

As per order no.267 dated 18.07.2025, the Superintending Engineer, R & B Division-1, Cuttack assured this Court that necessary steps should be taken for construction of the high boundary wall around



SVPPGIP campus.

Md. Shahbaz, the Superintending Engineer, R & B, Division No.-I, Cuttack who is present on virtual mode has filed an affidavit dated 03.09.2025, wherein it is stated as follows:

"7. The estimate for construction of high boundary wall around SVPPGIP, Sishu Bhawan, Cuttack for the year 2025-26 amounting to Rs.1.71 crore was submitted to the Superintendent, SVPPGIP for administrative approval on 01.08.2025. Again on 03.09.2025, the reminder letter has been submitted to the Superintendent, SVPPGIP for approval. Copies of letters dated 01.08.2025 and 03.09.2025 have been annexed to the affidavit as Annexure-C and Annexure-D respectively."

List this matter on 25.09.2025.

Learned counsel for the State shall apprise this Court about the development made in the meantime.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



ISSUES & PROBLEMS OF CITY HOSPITAL

311.
04.09.2025

Instruction received by the learned counsel for the State from Mr. Md. Shahbaz, Superintending Engineer, Cuttack (R&B) Division No.1 dated 02.09.2025 is taken on record indicting that estimate for "Renovation of existing eye OT to Modular eye OT in District Hospital (City Hospital), Cuttack amounting to Rs.1,09,49,475/- and for the installation of lift amounting to Rs.25,37,022/- have been submitted to the DMO(MS)-cum-Superintendent, DHH, Cuttack and necessary follow up action shall be taken after obtaining administrative approval.

Dr. Nrupendra Kumar Satpathy, Superintendent, City Hospital who is present online assures that necessary steps in this regard shall be taken.

List this matter on 23.10.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



**STEPS TO BE TAKEN BY AUTHORITIES FOR
UPCOMING FESTIVE SEASON**

**(A) PREVENTING CONSTRUCTION OF
HUGE MANDAP PANDALS ON PUBLIC
ROAD, FOOTPATH AND ERECTION OF
ELECTRIC GATES AND DECORATIONS**

312-A.
04.09.2025

As per order no.307-A dated 26.08.2025, **Mr. Dattatraya Bhausahab Shinde**, IAS, Collector-cum-District Magistrate, Cuttack has filed an affidavit dated 02.09.2025, wherein it is stated as follows:

Celebration of Durga Puja in Cuttack City

(i) Generally, there is complete adherence to rules and regulations by all the Puja Committees, but in previous years sporadic instances of non-adherence and subsequent misuse of instructions have come to the notice of this Court. Accordingly, this Court very rightly in their order dated 21.08.2025 and 26.08.2025 conveyed their concerns about public safety and traffic congestions due to increase in size and structures of the puja pandals and toranas. The concerns of this Court were conveyed to the Puja Committees by the Collector & District Magistrate, Cuttack in the Shanti Committee meetings held on 24.08.2025 and 25.08.2025.

(ii) Accordingly, the Puja Committees also



suggested some measures to be taken to comply with the orders of this Court. Accordingly, said two meetings were conducted by the Collector & District Magistrate, Cuttack with the Puja Committees and following decisions have been taken for strict and smooth compliance of the directions of this Court as well as for smooth and safe conduct of Durga Puja festivities:

(A) Total restrictions on some activities:

(i) DJ sound system will be totally banned during the procession as well as during daily Aarti in the pandals;

(ii) During the procession, the Administration will fix the sound decibel meters at various locations to check the DJ sound system which should not increase from 65 decibel. The focus will not be on the number of sound boxes fixed but on the inclusive output of the sound boxes;

(iii) Laser light which causes irritation to the eyes and often causes temporary/permanent loss of eyesight has been banned from the last year and this year also the same practice will be followed;

(iv) Fire gun and fire crackers are strictly banned this year as it was done during the last year;

(v) Sale of foreign and country liquor is banned for 72 (seventy two) hours in and around



Cuttack City this year as it was done in the last year.

The Collector, Cuttack has assured this Court that every Puja Committee shall be apprised to place boards at different places within their respective jurisdiction highlighting the adverse effect of air and noise pollution.

(B) Single Window System for permission:

(i) As per practice, there are very few Puja Committees having the practice of erecting big Puja gates, whereas 25/30 Puja Committees erect fabricated electric gates;

(ii) For inspection of Big Pandals, two teams comprising of representatives of different departments like R & B, Revenue, Police, TPCODL & Fire have started visiting the sites and their reports will be submitted shortly. The Puja Committees will submit the structural design of their gates to the visiting teams. The Engineers of R & B Department will vet these designs and will suggest changes if any, so as to make these structures immune to damage due to natural or man-made calamities. The Puja pandals will make necessary rectifications and only thereafter the safety certificate will be granted to them. The Police will also make necessary changes in design if any obstruction is noticed in passage of traffic or natural flow of public. The list of



big Puja Pandals has been annexed to the affidavit as Annexure-A;

(iii) A single window mechanism will start functioning from 05.09.2025 at Barabati Palace, Cuttack under the supervision of the Sub-Collector -cum- Sub-Divisional Magistrate, Cuttack for all Puja pandals except the ones at Annexure-A to obtain necessary certificate/NOC. In this single window system, a team of representatives from R & B, Police, TPCODL, Fire, Revenue and the CMC will be deployed for three days i.e. from 5th to 7th September, 2025 for receiving applications seeking permission for Puja Pandals. The members of all the Puja Committees need to apply in the Single Window counter for permission/NOC from various Departments including R & B, WATCO, Electricity, CDMO, Fire, Police, etc. The R and B Authorities, respective Departments who are recorded tenants of the land in question where the pandals are to be erected and the Police will grant provisional NOC with their observations/conditions to the Puja pandals by 12.09.2025;

(iv) All Puja Pandals irrespective of size will be given time until 22.09.2025 to complete their works after which a Joint Team will visit and recommend for NOC. Thereafter, final NOC will be issued from 22.09.2025. The Puja pandals need to comply all the



formalities with the concerned Departments latest by 22.09.2025 after which electrical safety certificate along with license will be provided to them.

(C) Facilitation of the Puja Pandals in getting permission/NOC:

(i) Since a detailed safety protocol mechanism will be followed for which a single window system has been started for the first time, there is a need to guide and co-ordinate with the pandals by the Administration for their convenience. Accordingly, the District Administration will deploy a team of coordinating staff for every 6 Puja pandals to facilitate obtaining the permission/NOC as well as to ensure that orders of this Court and the District Administration are followed scrupulously;

(ii) For every 20-25 Puja Pandals, there will be a Senior Supervising Officer to resolve the issues which have not been resolved by the co-ordinating staff deployed for the pandals.

(D) Safety measures:

(i) There are three major safety concerns during the time of festivals, viz., electrical safety, structural safety and fire safety. All the Puja pandals will apply for the safety certificate at the Single Window mechanism and obtain safety certificate by 22.09.2025



after which basic facilities like electricity, water supply, first aid and other permissions will be finally given to the Puja pandals;

(ii) Regarding traffic congestions, necessary permission or NOC itself will be obtained from the Police which will ensure that the design of the Puja pandals is made in such a way so that no road obstructions or traffic congestion is made for flow of normal traffic or passing of general public during the Puja time.

(E) Immersion Procession:

(i) During immersion processions of idols, the same Supervising and Co-ordinating Officer will be deployed to ensure safe and smooth immersion of deities of different puja pandals;

(ii) Dedicated team of different Departments like fire, medical, electricity, public and private Telecom/Internet Service Providers and ODRAF will be deployed at fixed points on the roads, river beds, artificial reservoir etc., to meet eventuality or untoward incidents if any.

The affidavit dated 02.09.2025 filed by the Collector, Cuttack is taken on record.

The Collector, Cuttack is asked to see that after puja celebration is over, the bamboo structures etc. are dismantled and removed within a stipulated period



mainly during night time not to cause any public inconvenience and to that effect an undertaking shall be obtained from the respective Puja Committee.

Affidavit of DCP, Cuttack:

Sri Khilari Rishikesh Dnyandeo, IPS, Dy. Commissioner of Police, Cuttack has filed an affidavit dated 03.09.2025, wherein it is stated that a preparatory meeting for Durga Puja, 2025 was convened at Sarala Bhawan on 02.09.2025, consisting of all Zonal ACsP, all IsIC of Cuttack UPD, the President and Secretary of Cuttack Mahanagar Shanti Committee, Purbanchal Shanti Committee, local respectable persons/gentries, all Presidents, Secretaries and Club Members of Ganesh Puja Committees and local MLAs, etc. It was decided as follows:

(i) Only those gates, decorations, cultural function will be allowed who has obtained structural, fire, electricity and other related fitness certificates. Committees desiring to construct a pandal/gate by digging any place shall deposit the requisite fee with the CMC, and the money receipt shall be furnished at the License Cell in the office of the DCP, Cuttack for consideration of license issuance;

(ii) No Objection Certificate (NOC) pertaining to electrical fittings shall be obtained from the Addl. Chief



Engineer -cum- Electrical Inspector, near Haramani Mandap, Cuttack;

(iii) It has also been emphasized that all electrical fittings in Mandaps shall be of good quality and certified properly. These works shall be undertaken only by properly trained persons;

(iv) The Organizer of the Mandap shall also obtain an NOC from the Superintending Engineer, R & B, regarding the sustainability and stability of the gate and thereafter, obtain permission from the DCP, Cuttack;

(v) The Organizers have been instructed that overhead construction of gates on immersion route shall not be allowed, as the same may cause hindrance during immersion;

(vi) Puja Committee members shall not erect any gate/pandal encroaching upon the land of other Sahis or Bastees, which may invite law and order problems;

(vii) Each Puja Committee shall keep sufficient fire extinguishers in the pandal/mandap to avoid fire hazards;

(viii) In order to avoid untoward situations, each Puja Committee shall deploy adequate volunteers for crowd management, install CCTV cameras where feasible, and maintain close coordination with the local



Police Station for immediate reporting of any law and order or security-related issue. A copy of the proceedings of the preparatory meeting dated 02.09.2025 has been annexed to the affidavit as Annexure–A Series.

The affidavit dated 03.09.2025 of the DCP, Cuttack is taken on record.

(B) CONTROL OF AIR & NOISE POLLUTION

312-B.
04.09.2025

Sri Khilari Rishikesh Dnyandeo, IPS, Dy. Commissioner of Police, Cuttack has filed an affidavit dated 03.09.2025, wherein it is stated as follows:

(i) The DCP, Cuttack had already issued letter No.1466/DCP(OJC-Cell) dated 19.08.2025 to all IsICs of Cuttack City, including IsICs of Traffic Police Stations, Phulnakhara, and all Zonal ACsP including ACP DIB, Cuttack UPD, directing them to take sincere and effective steps to implement the directions of this Court as well as certain guidelines issued by the Government in the Home Department, Odisha, Bhubaneswar, in their respective P.S. jurisdictions, in letter and spirit. Further, they were also directed to conduct surprise raids and frequent checks of amplifiers fitted with sound limiters used by band parties, DJs, and music players during various festive occasions, cultural functions, immersion ceremonies and other upcoming functions in the city;



(ii) It is further stated in the affidavit that the DCP has directed all IsICs of the city that in no case shall any Band Party/DJ or other musical group exceed the sound limit of 65 decibels. No Band Party shall be permitted to carry out processions unless issued with a valid license. The sound level shall not exceed the prescribed limit of 65 dB. During immersion processions and cultural functions, no DJs, instruments, or Band Parties shall play music beyond the limit of 65 dB. Amplifiers shall be checked regularly, and in case of tampering with sound limiters or violation of prescribed sound limits, all such musical instruments shall be seized and proceedings shall be initiated against the violators as per law for contravening the sound pollution norms;

(iii) It is further stated in the affidavit that the ACP DIB -cum- Licensing Cell, Cuttack UPD, has also been directed to ensure that the instructions, guidelines, and Orders of this Court are followed strictly, particularly while granting applications for permission under Section 4(2) of the *Odisha Fire Works and Loud Speakers (Regulation) Act, 1958*, the *Odisha Urban Police Act, 2003*, and other relevant Acts;

(iv) It is further stated in the affidavit that all IsICs of Cuttack City have been directed to organize awareness programmes in their respective P.S.



jurisdictions to sensitize the Secretaries/Presidents of different Puja Committees, the general public as well as Schools not to play excessive noise or loud music during festive seasons in their respective Puja Mandaps, cultural programmes, and immersion processions, as excessive sound causes negative effects on people and the environment. It leads to health issues, sleep disturbances, stress, and also adversely affects the academic performance of students, etc. All IsICs have also been instructed to take stringent action as per law against the violators. A copy of Letter No. 1466/DCP(OJC-Cell) dated 19.08.2025 has been annexed to the affidavit as Annexure-B.

It is further stated in the affidavit that during the discussion in the preparatory meeting dated 02.09.2025, it was decided as follows:

(i) The Organizers/workers shall take effective steps to ensure strict implementation of the orders of this Court by maintaining the prescribed standard of 65 decibels and adhering to the permitted time limit while using loudspeakers, sound systems, band parties, etc., only after obtaining permission from the competent authority, in order to control sound pollution;

(ii) The Organizers of Puja Committees/ owners of sound systems and band parties shall not use



any sound system beyond the prescribed cumulative limit of 65 decibels at night after 10 PM, and they shall also ensure that no obstruction is caused to public roads;

(iii) The Organizers/workers of Puja Committees shall not use any fireworks near the Puja Mandaps.

(iv) Puja Mandaps, including gates, shall be constructed in such a manner that they do not cause traffic congestion for either vehicular or pedestrian movement;

(v) No DJ shall be allowed during Puja and immersion processions;

(vi) Licenses for the use of loudspeakers/microphones are being issued under the provisions of Section 4 of the *Orissa Fire Works and Loudspeakers Act, 1958*, read with Sections 28 and 29 of the *Orissa Urban Police Act, 2003*, and subject to Regulations 47 and 56, which include conditions restricting the use to a maximum of 04 trolleys and 06 sound boxes mounted on trolleys during processions, with the sound level not exceeding 65 decibels;

(vii) No sound/music instrument shall be played in restricted zones such as Chandini Chowk, Nimchoudi, High Court Chhak, Howrah Motor Chhak to Cantonment Chhak and SCBMCH, Cuttack Chhak. In case



any violation of the prescribed sound limit is noticed, all such musical instruments shall be seized and legal action shall be initiated as per law;

(viii) The Organizers shall apply for licenses in their respective Police Stations and obtain the same from the competent authority. No one shall be permitted to take their Medhas in procession without obtaining such license.

So far as regarding sound level of 65 decibel limit is concerned, it is stated in the affidavit as follows:

(i) The DCP, Cuttack has directed all IsIC, of Cuttack UPD including Traffic P.Ss, Cuttack UPD/RI, Cuttack UPD vide office letter No.1553/ DCP(OJC-Cell) dated 27.08.2025 to take immediate and effective steps to sensitize the locals regarding the effects of loud music and necessary steps in this regard shall be taken by conducting meetings/awareness programmes with the local gentries in their respective P.Ss jurisdiction not to play excessive noise/loud music beyond 65 decibels during the festive season. Stringent action shall be taken against the violators in accordance with law. A copy of the letter No.1553/ DCP(OJC-Cell) dated 27.08.2025 has been annexed to the affidavit as Annexure-E;

(ii) In order to control of Air & Noise pollution, the DCP, Cuttack had issued letter to the Regional



Officer, State Pollution Control Board, Surya Vihar, Cuttack vide this office letter No.1559/DCP(OJC-Cell) dated 29.08.2025 to depute two Technical Experts under their control to assist the police team for measuring the sound system in Cuttack UPD area. In this regard, a police team was formed to check the sound systems during melody/cultural programme/immersion procession in Cuttack City area to prevent sound pollution and strictly adhering to the directives of the Hon'ble Apex Court of India and this Court and to ensure that the permissible cumulative sound limit should not exceed beyond 65 decibels. A copy of the letter No.1559/DCP(OJC-Cell) dated 29.08.2025 has been annexed to the affidavit as Annexure-F;

(iii) Accordingly, the Regional Officer, SPCB, Odisha, Cuttack had sent a letter to the DCP, Cuttack vide letter No.2735/RO/CTC/LAB-05-(ii) dated 30.08.2025 and deputed two technical experts to assist the police team for measuring the noise level of sound systems on 31.08.2025. A copy of letter of the RO, SPCB, Odisha, Cuttack has been annexed to the affidavit as Annexure-G;

(iv) In this regard, the DCP, Cuttack had also passed an order on 30.08.2025 that Sri Jubaraj Swain, Inspector Hdqrs. UPD, Cuttack along with 1/3



APR(Armed) in a vehicle to be provided by RI, Cuttack to check the sound system during Ganesh Puja immersion and Cultural programme in Cuttack City area to prevent sound pollution and strictly adhere to the orders of this Court and ensure that the permissible cumulative sound limit should not exceed beyond 65 decibels with the help of two officers of SPCB, Odisha, Cuttack. A copy of Order dated 30.08.2025 passed by the DCP, Cuttack has been annexed to the affidavit as Annexure-H.

(v) It is stated in the affidavit of the DCP, Cuttack that the cumulative sound effect of all six sound boxes will not exceed the sound limit as fixed by the Hon'ble Supreme Court;

(vi) The Urban Police District, Cuttack has been implementing the directives of the Hon'ble Apex Court of India and this Court, instructions of the Govt. of Orissa during festive occasion as well as other cultural functions etc. in the city with the direction that the cumulative sound effect of all six sound boxes shall not exceed the sound limit of 65 decibel limit and adherence to the same will be ensured by the joint team of police & State Pollution Control Board during this festive season.

This Court expects that all the Puja Committees shall strictly follow the instructions imparted by the District Administration and observe puja



peacefully maintaining discipline, harmony, sense of community and unity without causing inconvenience to public.

(C) IMPROVING ROAD CONDITIONS

312-C.
04.09.2025

As per order no.307-D dated 26.08.2025, the Commissioner, CMC was called upon to file an affidavit on the modalities for allowing developmental work including roads in each Ward and the affidavit should also include the response of the CMC for inclusion of 'defect liability clause' incorporated in the contracts executed by the Works Department so as to ensure accountability, in tune with contracts executed by the Works Department. It was directed that the affidavit should specifically mention the ward-wise details in a tabular format mentioning therein the amount of funds sanctioned for each ward towards repair of roads under the supervision of CMC for Durga Puja for the year 2024 and the present condition of the said roads that were repaired last year (2024) along with the names of the Junior Engineer for each ward who had certified such works.

Learned counsel for the CMC has produced the compliance report of the CMC dated 03.09.2025, wherein it is stated that regarding repair/reconstruction of damaged Roads in CMC area before ensuing Durga Puja, as per decision taken in the last Council Meeting of CMC



held on 22.08.2025, CMC will take pro-active steps for repair/renovation of all its damaged roads in war footing basis which will be completed before Durga Puja. All concerned Engineers of CMC have been directed to take immediate steps in this regard.

However, the affidavit as per order dated 26.08.2025 has not been filed. The same shall be filed by the next date positively.

List this matter on 25.09.2025.

During course of hearing on 26.08.2025, a news item published in Odia daily "The Sambad" dated 26.08.2025 under the caption of "OMP-SIKHARPUR RASTA PALATICHI MARANA JANTA; 200 METER RASTA PARA HEBAKU GHANTAYE" was brought to the notice of this Court.

Pursuant to such direction of this Court, Mr. Sunil Kumar, Regional Officer, Ministry of Roads, Transport and Highways, Bhubaneswar and Mr. Suraj Kumar Singh, Project Director, National Highways Authority of India/PIU, Bhubaneswar are present in Court. An affidavit has been filed through the learned Senior Panel Counsel, Mr. B.B. Mishra indicating steps taken to address the issue of roads falling under the jurisdiction of the NHAI. The said affidavit is taken on record.



Mr. P. K. Parhi, learned DSGI who was present virtually also assured this Court that necessary steps in this regard shall be imparted in right earnest.

List this matter on 25.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

**(D) ILLUMINATION OF STREET LIGHTS/
STREET LIGHTS NOT FUNCTIONING IN
DIFFERENT AREAS UNDER CMC**

312-D.
04.09.2025

As per order no.307-E dated 26.08.2025, learned counsel for the CMC was asked to obtain instruction regarding non-functioning of street lights of Ward Nos.3, 22, 27 & 55, as the Secretary, Orissa High Court Bar Association filed a memo dated 26.08.2025 along with photographs.

Learned counsel for the CMC has produced the compliance report of the CMC dated 03.09.2025, wherein it is stated that all the street lights which have been pointed out by the learned Advocates' Committee, are now meanwhile made functional, except the street lights in Ward No.55, i.e. from Kanheipur Primary School to Bhadimula on Mahanadi River Embankment Road. It is



further stated that, the existing street lights fixed in the 11 KV Poles from Kanheipur Primary School to Bhadimula on Mahanadi River Embankment Road, are being frequently damaged due to the 11 KV induction current. Now, CMC has proposed to erect 70 numbers of LT Poles on the said Road especially for the Street Lights which is ready for getting approval from the Standing Committee and Council of CMC as well. After necessary approval steps will be taken for ensuring the said Street Light System by following due procedure.

The compliance report dated 03.09.2025 of the CMC is taken on record.

List this matter on 25.09.2025.

Learned counsel for the CMC shall apprise this Court about the status of functioning of street lights in Ward No.55.

(E) CHECKING SELLING/ DISTRIBUTION OF CONTAMINATED AND ADULTERATED FOOD

312-E.
04.09.2025

Learned counsel for the CMC has produced the compliance report of the CMC dated 03.09.2025, wherein it is stated that regarding the availability of a permanent Mobile Food Testing Laboratory (MFTL) during the Puja season is concerned, it is stated that the Commissioner of Food Safety has already been requested vide Letter



No.3220/HO, CMC, dated 28.08.2025 to take necessary action in the matter. A copy of the said Letter dated 28.08.2025 has been annexed to the compliance report as Annexure-1. However, since only one Mobile Food Testing Laboratory is available for the entire State, which comprises 30 districts and 6 local bodies, it can be spared for a maximum of four days during the festive season.

It is further stated in the compliance report that the Director Food Safety, Odisha vide Letter No.1001/CFS dated 01.09.2025 has informed that a proposal has been made for the procurement of 13 Mobile Food Testing Laboratories in collaboration with FSSAI, New Delhi. The technical specifications are currently under the process of finalization. After procurement, these Mobile Food Testing Laboratories will be deployed under the MoU work plan. Accordingly, necessary arrangements will be made to ensure the availability of one permanent Mobile Food Testing Laboratory for Cuttack Municipal Corporation and Cuttack District. A copy of the letter dated 01.09.2025 of the Director Food Safety, Odisha has been annexed to the compliance report as Annexure-2.

It is further stated in the compliance report that in view of the ongoing festive season, special enforcement drives are being carried out in food



establishments to ensure public health and safety. During the inspections, stale food items were destroyed on the spot to prevent their consumption. Penalties were imposed on violators as per the food safety rules and regulations. Copies of the photos taken during the enforcement drive have been annexed to the compliance report as Annexure-3.

It is further stated in the compliance report that the enforcement teams have also been instructed to continue strict monitoring in order to maintain food safety standards and protect consumers during the festive period.

ISSUES & PROBLEMS OF TRISULIA

313.
04.09.2025

Learned counsel Mr. Katikia appears for the Petitioner.

Mr. Dattatraya Bhausahab Shinde, IAS, Collector, Cuttack as well as Mr. Mohapatra, learned Senior Counsel for the CDA and Mr. Nayak, learned counsel for the CMC are present.

Both the CDA as well as District Administration shall file an affidavit regarding the present state of drainage system and steps to be taken to address the issue and hindrances, if any, by the next date.



List this matter on 25.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

SATYABRATA STADIUM

314.
04.09.2025

Relating to Satyabrata Stadium, Mr. Dattatraya Bhausahab Shinde, IAS, Collector, Cuttack who was present virtually informed that the DPRs after modifications have been submitted to the Sports & Youth Services Department, Government of Odisha and necessary follow up action shall be taken shortly. So far as the walking tracks inside the Satyabrata Stadium are concerned, repair work has been taken up by the ASI.

The concern relating to the state of the washrooms inside the Satyabrata Stadium was raised by the members of the Bar during the course of hearing.

ASI and the District Administration collectively shall take steps to address the issue on emergent basis.

Mr. Khilari Rishikesh Dnyandeo, IPS, DCP, Cuttack, who is present in virtual mode is called upon to intensify patrolling particularly during the evening hours.



List this matter on 25.09.2025 to consider the steps taken regarding the state of the walking tracks and the washrooms.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

ROAD CONDITION OF THE STRETCH TO MAA BHUASUNI TEMPLE IN WARD NO.1

315.
04.09.2025

A memo along with the representation from Maa Bhuasuni Development Committee, Bidanasi, Cuttack addressed to the Commissioner, CMC as well as to the Executive Engineer, R & B Division, Cuttack is placed on record. Copy of which has been handed over to Mr. Nayak, learned counsel for the CMC.

Mr. Nayak, learned counsel for the CMC is called upon to take up the issue with the concerned officials and address it expeditiously keeping in view the ensuing festive season.

List this matter on 25.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



CHAULIAGANJ PRIMARY SCHOOL, I.A. NO.10283
OF 2024 & I.A. NO.10709 OF 2025

316.
04.09.2025

By order No.141 dated 29.08.2024, the issue of draining out of the water from the school campus of Chauliaganj U.P. School, Chauliaganj Cuttack was dealt with. On the said date, this Court was assured by Mr. Atanu Kumar Samanta, City Engineer who was present through virtual mode that within a period of four months the drain construction work shall be completed.

The grievance is made that the issue relating to the drain water entering into the school has not been addressed and in fact, it has become worse and highlighting the problem a news item has been published in the Odia Daily "The Sambad" dated 29.08.2025 under the caption "**CHAULIAGANJ UCHHA PRATHAMIKA SCHOOL SAMASYA, HIGH COURT RE CMC PRATISRUTI DEBARA BARSAKA PARE BI NIRMANA HELANI SONJAGA DRAIN**".

The learned Advocates of the area also submit that even in the recent downpour, there was over flowing of the drain water into the school causing immense inconvenience to the children, the teachers and resulting in unhygienic conditions for everyone.



In response to the news item, a reply has been submitted that no government land is available for constructing the drain. The main drain is at a distance of 20 Meters. One 5 HP pump has been installed there which is carrying the rain water from the area to a pond situated at "some distance" from the school.

This Court places on record its disapproval for the manner in which the concerned Engineer has responded to the woes of the children in spite of giving assurance on 29.08.2024. As an immediate measure, it is directed that extra pumps shall be installed to ensure that there is no water logging in the school premises and the concerned Authorities shall visit the school along with the representative of the Advocates' Committee on 06.09.2025 at 11:00 a.m. to put in place the necessary mechanism to see that there is no water logging till a permanent solution is found. Steps to acquire the land shall be taken to drain out the water accumulating in the school. Learned counsel for the CMC, Mr. Nayak shall communicate this order to the Commissioner, CMC to do the needful.

The CMC is called upon to file a fresh affidavit in this regard which should also indicate the distance between the school and the pond adverted to hereinabove and the steps taken to sort out the problem.



List this matter on 25.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge