



IN THE HIGH COURT OF ORISSA AT CUTTACK

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

Registrar (Judicial), **Petitioner**
Orissa High Court, Cuttack

Mr. Manoj Kumar Mishra, Sr. Advocate
President, OHCBA
Mr. Bijay Kumar Dash,
Amicus Curiae
Er. Mr. Nagendra Kumar Mohanty,
Amicus Curiae
Mr. R.K. Sharma, Advocate for MCL

-versus-

State of Odisha & Others **Opp. Parties**
Mr. Debasis Nayak,
Additional Government Advocate &
Advocate for the CMC

CORAM:
JUSTICE K.R. MOHAPATRA
JUSTICE V. NARASINGH

ORDER
05.02.2026
ONLINE REGISTRATION OF OPD PATIENTS

Order No.

378-A.
05.02.2026

1. These matters are taken up through hybrid arrangement (video conferencing/physical mode).

2. In the matter of issues relating to SCB Medical College and Hospital, Cuttack, more particularly, with regard to patients seeking appointments with their preferred physicians on non-OPD dates, Prof. Dr. Gautam Kumar Satpathy, the Superintendent I/C of SCBMCH, Cuttack appearing through virtual mode disclosed that it has already been made



operational and all the Heads of the Department of SCBMCH, Cuttack have been informed in that regard. He, however, submits that he has no information as to how many patients have availed such facilities in the meantime. He also undertakes to take steps to make a wide publication of the facilities available to the patients in print and electronic media as well as in the OPD, itself.

3. Ms. Aswathy S., IAS, The Commissioner-cum-Secretary, Health and Family Welfare Department, Government of Odisha also assures to take steps in that regard and intimate the Court about the developments on the next date.

4. Put up this matter on 12th March, 2026 on which date Prof. (Dr.) Satapathy, shall intimate the Court about the developments and steps taken in the matter.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

**REGARDING LACK OF NIGHT SHELTER FOR
RELATIVES OF PATIENTS**

378-B.
05.02.2026

1. Prof. Dr. Gautam Satpathy, Superintendent, SCBMCH, Cuttack states that although steps have been taken to persuade the permitted attendants of the patients to use the night shelters but in some cases, it is found that they are reluctant to use the same on some pretext or the other. He also submits that the



numbers of beds in the night shelter are not sufficient to accommodate all the authorized attendants of the patients.

2. At this stage, Mr. Dash, learned Amicus Curiae intervened and submitted that many attendants and/or relatives of the patients are sleeping on the road side and on the pavements of the SCBMCH campus, in the open.

3. In response, Dr. Satapathy, Superintendent, SCBMCH, Cuttack submits that the vendors and the outsiders who are taking free meal provided by NGOs inside the campus and near the campus of the SCBMCH, at times, sleep on the pavements and roadside. They cannot be accommodated in the night shelters meant for the relatives and attendants of the patients.

4. During the deliberation, this Court was informed that only one NGO has been permitted by the Government to distribute free food inside the campus.

5. Mr. Khilari Rishikesh Dnyandeo, IPS, Deputy Commissioner of Police, Cuttack also stated that because of the food being provided free of cost by other NGOs there is congestion in front of both the gates. Though the vehicles in which such food is being brought for distribution are parked outside the campus the queue of people to avail the same extends to the precincts of the campus.

6. Taking note of the same, this Court calls upon the Commissioner, CMC to identify a designated place away from main campus from SCBMCH which will be provided for the NGOs to carry out their philanthropic work.



7. Steps taken in this regard shall be submitted to this Court by the next date.

8. The Superintendent in-charge of SCBMCH, Cuttack, Prof. Dr. Satapathy shall make an endeavor to find out the names of NGOs providing such food so that the same can be regulated in a manner to ensure that while there is no hindrance in their providing free food to the needy it does not cause inconvenience for the patients and other stakeholders of the campus of SCBMCH.

9. In this context, this Court requests the members of the Advocate Committee which shall include one lady member to undertake a surprise visit of the campus of the SCBMCH, Cuttack late in the evening preferably atleast on three dates and submit a status report regarding the people who are stated to be sleeping in the open campus in the SCBMCH and also suggest measures to address the issue including regulating the NGO activity of providing free food which is stated to be a contributing factor for people to sleep under the sky in the campus.

10. Put up this matter on 12th March, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge



- iii. **INSTALLATION OF DIGITAL DISPLAY BOARD
IN SCBMCH, CUTTACK**
v. **LIVER TRANPLANATION ISSUE**
&
vi. **OPEN HEART SURGERY IN DEPARTMENT
OF CTVS**

378-C.
05.02.2026

1. As requested by the Commissioner-cum-Secretary, Health and Family Welfare Department, the aforesaid matters shall be taken on 26th February, 2026.
2. The response of the Department should be filed by 20th February, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

**SICK NEWBORN CARE UNIT (SNCU) & MATERNITY
WARD**

378-D.
05.02.2026

1. Pursuant to order dated 365-A dated 11.12.2025, the Lady Members of the Advocates' Committee were requested to visit the wards again by end of December, 2025 and submit a fresh status report. But Mr. Mishra, learned Senior Advocate and President of OHCBA submits that they have not yet visited the Wards. Hence, he requests for further adjournment submitting that the Lady Members of the Committee shall visit the Wards within ten days hence and submit their report by the next date.



2. Put up this matter on 12th March, 20226.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

**MAINTENANCE OF HYGIENIC CONDITION OF
CENTRAL KITCHEN**

378-E.
05.02.2026

1. Pursuant to Order No.353-B dated 20.11.2025, Dr. Satapathy, the Medical Superintendent, SCBMCH submits that everything has been done except installation of air curtain by the R & B Department. Mr. Shahbaz, Superintending Engineer, R&B Department who appears through virtual mode, assures that installation of air curtain shall be done within a period of seven days hence.

2. Put up this matter on 26th February, 2026 on which date, Superintending Engineer, R&B Department shall file compliance affidavit regarding installation of air curtain in the Central Kitchen of SCBMCH.

In the meantime, Advocates' Committee shall visit the Central Kitchen and submit its report with regard to maintenance of hygienic condition and compliance of Order No.353-B dated 20.11.2025 by the next date.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge



**ADVOCATES' COMMITTEE REPORT ON
OTHER DEPARTMENTS**

378-F.
05.02.2026

1. Relating to Procurement of machines for the Neonatal Care Unit, SCBMCH, Mr. Tripathy, learned counsel appearing for Odisha State Medical Corporation Limited (OSMCL) submits that detailed status report shall be submitted by way of an affidavit within two weeks hence.
2. Let such affidavit be filed within a period of two weeks hence serving copy thereof on the Secretary, OHCBA, Cuttack as well as Mr. Dash, learned Amicus Curiae.
3. Put up this matter on 12th March, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

ISSUES RELATING TO SISHU BHAWAN

MOVEMENT OF VEHICLES INSIDE SISHU BHAWAN

379-A.
05.02.2026

1. Dr.(Prof.) Pravakar Mishra, Superintendent of Sishu Bhawan is present through virtual mode and submits that discussions are being held with the authorities of NALCO and MCL for providing Battery operated passenger vehicles under



the Corporate Social Responsibility (CSR) Program for movement of patients and their relatives inside the Campus of Sishu Bhawan.

2. Mr. Mishra, learned Senior Advocate and President, OHCBA and Mr. R.K.Sharma, learned counsel for MCL submit that they will facilitate the provision for early supply of Battery operated passenger vehicles to ply inside the campus of Sishu Bhawan.

3. Mr. Mishra, learned Senior Advocate further submits that he had a discussion with the officials of NALCO and MCL. In principle, NALCO has agreed to provide three Battery operated passenger vehicles to Sishu Bhawan under CSR program.

4. Mr. Sharma, learned counsel for MCL, however, submits that he shall take up the matter with the MCL Authorities and see that Battery operated passenger vehicles are provided to Sishu Bhawan at an early date.

5. It is reiterated that Mr. Mishra, learned Senior Advocate and President, OHCBA as well as Mr. Sharma, learned counsel for MCL shall impress upon the Authorities concerned to expedite the matter.

6. Dr. Mishra, Superintendent of Sishu Bhawan informed that Odisha State Medical Corporation Limited has assured to give one Battery operated passenger vehicle to Sishu Bhawan.

7. In view of the above, status of tender process for Battery operated passenger vehicles shall be considered further on the next date.



8. Put up this matter on 12th March, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

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

379-B.
05.02.2026

1. Mr. Kamaljit Das, OAS, ADM-cum-Nodal Officer submits that demarcation of the land of Sishu Bhawan by the Tahasildar, Sadar has been done and there is no encroachment in it.
2. Mr. Shahbaz, Superintending Engineer, R&B Department submits that the tender process is over and the agreement shall be signed shortly. He undertakes to file the status report by the next date.
3. Put up this matter on 26th February, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

**ISSUES RELATED TO TALADANDA CANAL
WIRE MESH FENCING AND DAMAGE FOOTPATH
ON BOTH SIDES OF TALADANDA CANAL**

380-A.
05.02.2026

1. Sri Atanu Kumar Samanta, City Engineer, Cuttack Municipal Corporation, who appeared through virtual mode, submits that wire fencing of both sides of Taladanda Canal has already been completed. He further submits that repairing and



damage footpath of both sides of Taladanda Canal is going on. He undertakes to submit a report in that respect by the next date.

2. Report shall be submitted by the City Engineer, Cuttack Municipal Corporation on or before 20.02.2026 submitting a copy thereof to all the stake holders by the next date.

3. Put up this matter on 26.02.2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

TALADANDA CANAL BOAT CLUB

380-B.
05.02.2026

1. Issue relating to Taladanda Canal Boat Club shall be taken up on the next date along with the report of the competent authority of the Irrigation Department.

Put up this matter on 26.02.2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

SANITATION/DUSTBINS AND URBAN HAT AMENITIES

381.
05.02.2026

1. The issue relating to Sanitation/Dustbins and Urban Hat Amenities, Mr. J. Behera, Deputy Commissioner, Sanitation, who appeared through virtual mode, submits that steps taken



and outcome thereof shall be stated in the affidavit to be filed by 20.02.2026. Copy thereof shall be served on all the stake holders to enable them to file their response.

List this matter on 26.02.2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

CMC ROAD SURVEY

382.
05.02.2026

1. As requested by Mr. Nayak, learned Addl. Government Advocate and the Advocate for the Cuttack Municipal Corporation, the matter shall be taken up on 26.02.2026.

Let the affidavit in terms of the order dated 27.11.2025 be filed by 26.02.2026 submitting a copy thereof to all the stake holders.

List this matter on 26.02.2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

UTILIZATION OF BALIYATRA GROUND FOR PRIVATE FUNCTIONS

383.
05.02.2026

1. In the issue relating to utilization of Baliyatra ground for private functions, Sri Khilari Rishikesh Dnyandeo, IPS, Deputy Commissioner of Police, Cuttack, who appeared through



virtual mode, submitted that a draft SOP has already been submitted to the District Administration for approval. A copy of letter dated 6.1.2026 communicated to the Additional District Magistrate, Cuttack is produced in Court. The same is taken on record.

2. Sri Kamaljit Das, OAS, Nodal Officer-cum-Addl. District Magistrate, Cuttack, appeared through virtual mode, submits that steps are being taken to accord approval to the draft SOP submitted by the Police Commissioner in consultation with Cuttack Municipal Corporation and other stake holders.

3. The Nodal Officer assured this Court that the concern expressed in the order dated 11.12.2025 shall be addressed in the SOP and it is in contemplation that the Nodal Officer shall be appointed as a single point contact for getting all the approvals in terms of the SOP.

4. A copy of the SOP so approved shall be submitted to this Court at least a week before the next date.

5. Mr. Nayak, learned Addl. Government Advocate submits that he shall apprise this Court regarding the development and approval of SOP on the next date.

6. List this matter on 12.03.2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge



BSWC DRAIN OF CUTTACK

384.
05.02.2026

1. Dr. Arindam Sarkar and Dr. Sumanta Haldar of IIT Bhubaneswar appeared through virtual mode and submitted that the preliminary report on scrutiny of the DPR shall be submitted to the WATCO within seven days. On receiving the response to the same, final report shall be prepared.

Such preliminary report and the response of WATCO shall be submitted to this Court for perusal before the next date.

2. Put up this matter on 26.02.2026.

3. Mr. Debabarata Mohanty, Managing Director of WATCO, Dr. Arindam Sarkar and Dr. Sumanta Haldar of IIT Bhubaneswar shall join the proceeding through virtual mode on the next date.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

BOX DRAIN WORK UNDER RAILWAY OVERBRIDGE NEAR MATRUBHAWAN

385.
05.02.2026

1. Mr. P.K. Parhi, learned DSGI along with Mr. Kaibalya Panda, learned CGC submits that an interim application is being filed seeking further time to execute the work.



2. Mr. Ankit Varma, Senior Divisional Engineer, Mr. Suneet Kumar, Senior Divisional Operation Manager, Mr. S. Mondal, Additional Divisional Railway Manager are present.

3. Let the interim application be filed by tomorrow i.e. 06.02.2026 serving a copy thereof on Er. Sri N.K. Mohanty, learned Amicus Curiae and on the Secretary, Orissa High Court of Bar Associations and Mr. Nayak, learned Additional Government Advocate.

4. Put up this matter on 26.02.2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge