



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*

Mr. Manoj Kumar Mishra, Sr. Advocate
President, OHCBA
Mr. Bijay Kumar Dash, Senior Advocate
Amicus Curiae
Er. Mr. Nagendra Kumar Mohanty,
Amicus Curiae
Mr. Avijit Pattnaik, Advocate
Secretary, OHCBA

-versus-

State of Odisha & Others

.... *Opp. Parties*

Mr. Debasis Nayak,
Additional Government Advocate &
Advocate for the CMC
Mr. Prasanna Kumar Parhi, DSGI

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

ORDER

12.03.2026

Order No.

ISSUES RELATING TO SARDAR VALLABHBHAI PATEL
POST GRADUATE INSTITUTE OF PAEDIATRICS – SHISHU
BHAWAN

i) OPEN DRAIN IN SHISHU BHAWAN

404-A.
12.03.2026

1. These matters are taken up through hybrid arrangement (video conferencing/physical mode).
2. Mr. Nayak, learned counsel for the CMC informed the Court that due to contractor's strike for last 20 days, the



construction of drain inside the premises of Sishu Bhawan could not progress.

3. City Engineer, CMC, Cuttack, who appears through virtual mode, assures this Court that the construction of drain in the premises of Sishu Bhawan shall be completed by the end of September, 2026.

4. Mr. Dash, learned Senior Advocate, Amicus Curiae expressed concern regarding lack of progress of construction of drain in the premises of Sishu Bhawan.

5. Dr. (Prof.) Pravakar Mishra, the Superintendent of Sishu Bhawan, who is present through virtual mode also reiterated the submission of Mr. Dash, learned Amicus Curiae and stated that only some earth work has been done and there is no substantial progress in the construction work of the drain.

6. During the course of hearing, concern was raised by learned Senior Advocate Mr. Dash, Amicus Curiae, that construction of the internal drains would be an exercise in futility unless the encroachment over the drains into which the internal drains of Sishu Bhawan will discharge, effluents are removed.

7. The Commissioner, CMC, Ms. Kirandeep Kaur Sahota, IAS, who is present virtually assured this Court that immediate steps shall be taken for removal of unauthorised constructions/encroachment over the Municipal drain to which the drains from Sishu Bhawan shall be linked.



It is needless to state that the District Administration shall render necessary assistance in this regard.

8. A report with regard to steps taken for removal of the encroachments shall be submitted to this Court by 6th April, 2026.

9. Put up this matter on 9th April, 2026 for consideration of the compliance report.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

ii) **BEAUTIFICATION OF OPEN POND IN SISHU BHAWAN**

404-B.
12.03.2026

1. Mr. Nayak, learned Additional Government Advocate stated that beautification of open pond in the premises of Sishu Bhawan has already been completed in the meantime.

2. Learned Advocate's Committee shall visit the premises of Sishu Bhawan and submit a report in that regard.

3. Put up this matter on 23rd April, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge



iii) TRANSPORTATION INSIDE SISHU BHAWAN

404-C.
12.03.2026

1. Mr. Sharma, learned counsel appearing for Mahanadi Coalfields Ltd. (MCL), submits that MCL has approved the supply of three battery-operated passenger vehicles to Sishu Bhawan. He further submits that a Memorandum of Understanding (MoU) has been executed between MCL and Sishu Bhawan for the said purpose, and 40% of the total cost of the three battery-operated passenger vehicles has already been released in favour of Sishu Bhawan.

Dr. (Prof.). Mishra, Superintendent of Sishu Bhawan acknowledges the same. The MoU dated 27th February, 2026 shall form part of this order.

2. This Court appreciates the efforts made by Mr. Sharma, learned counsel for the MCL in this regard and the laudable gesture of the Authorities of MCL in providing three battery-operated passenger vehicles to Sishu Bhawan.

3. During the course of deliberation, Dr.(Prof.). Mishra, Superintendent of Sishu Bhawan, submitted that NALCO has also provided funds for the purchase of two numbers of Ambulance and one six-seated battery-operated passenger vehicle.

4. Copies of the necessary and relevant communications shall be submitted to this Court through the office of learned Advocate General by the next date.



5. Put up this matter on 9th April, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

ISSUES OF SCB MEDICAL COLLEGE & HOSPITAL,
CUTTACK

i) ONLINE REGISTRATION OF OPD PATIENTS

405-A.
12.03.2026

1. Pursuant to the order No.378-A dated 05.02.2026, a compliance report has been submitted by the Medical Superintendent, SCBMCH, Cuttack through the office of the learned Advocate General. It is reported that for awareness of the public regarding the facilities available to the patients in the hospital, display boards have been fixed in each of the OPDs in the hospital. That apart, wide publication has been made through print and electronic media to avail the facilities.

2. It is further reported that the HoDs of the clinical departments have been requested vide letter No.3331 dated 07.02.2026 to provide monthly data on consultation to patients by faculties in Non-OPD days. Up-to-date data on consultation to the patients on Non-OPD days has also been provided in the said compliance report.



3. Put up this matter on 9th April, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

ii) **LACK OF NIGHT SHELTERS FOR PATIENT RELATIVES**

405-B.
12.03.2026

1. Pursuant to the order No.378-B dated 05.02.2026, it is reported that one NGO has been allowed to provide food free of cost inside the medical campus to the needy people coming to hospital. That apart with the intervention of the local IIC Mangalabag Police Station, a place has been identified to provide free meals to the needy people at the auto stand adjacent to the SCBMCH, Cuttack, Mangalabag side gate during night hours.

2. Learned Advocates' Committee had also visited the spot and reported that an area has been identified that is presently used as an auto stand, which can be used by NGOs distributing food at night. The owners of the auto rickshaws at the said area also agreed to lend support to the cause.

3. The Commissioner, CMC, Ms. Kirandeep Kaur Sahota, IAS, who appears through virtual mode, also assures this Court



that the sanitization and cleaning of the said area shall be done during third phase of cleaning of SCBMCH campus every day.

4. Dr. Satpathy, Superintendent, SCBMCH, Cuttack submits that the space available in the rest sheds at SCBMCH campus is grossly inadequate. But, steps are being taken to provide some more temporary rest sheds for the relatives/attendants of the patients.

5. Learned Advocates' Committee conducted a surprise visit during night hour on 20.02.2026. The Advocates' Committee also presented video clippings and some photographs, which revealed that some attendants were sleeping under the open sky. One of the attendants expressed that he does not know about the availability of the night shelters, which are meant for the patient attendants. Thus, it is reported that proper sensitization and awareness is required for best utilization of the night shelters available in the campus of the SCBMCH, Cuttack.

6. Dr. Satpathy, Superintendent, SCBMCH, Cuttack submitted that adequate signs in English and Vernacular have been put in place to sensitize the attendants with regard to availability of the night shelters. After watching the video clipping, Dr. Satpathy submitted that the night shelter of surgery department is hardly 20 meters away from the place where the patient attendants were sleeping. He, however, submits that at times the patient attendants are reluctant to go



to the night shelters and create unwarranted situations, while persuading them to move to the night shelters.

7. It is however submitted that several attempts are being made to persuade the patient attendants to take rest in the available place at night shelters. It is proposed to construct a temporary shed over the water tank meant for use of the Fire Department. It is submitted that the temporary rest sheds shall be constructed after consultation with the fire department.

8. Learned Advocates' Committee shall also take stock of the situation with regard to the steps taken in persuading the patient attendants to use the night shelters.

9. The report of the surprise visit of the learned Advocates' Committee is taken on record.

10. Mr. Nayak, learned Additional Government Advocate undertakes to supply a copy of this report to Dr. Satpathy, Superintendent, SCBMCH, Cuttack to respond to the same.

11. Perused the report of surprise visit of learned Advocates' Committee made on 20.02.2026. It is reported that the doctor in non-trauma OPD was not available at the time of the visit. The display board did not reflect the name of the doctors, contact numbers. A copy of the report is served on Mr. Nayak, learned Additional Government Advocate in Court today.



12. A video clipping showing a sorry state of affairs of the non-trauma casualty is presented before this Court. Dr. Satpathy, Superintendent, SCBMCH, Cuttack submits that he shall verify and respond to the same.

13. Put up this matter on 9th April, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

KRUSHAKA BAZAR

406.
12.03.2026

1. This Court perused the report of the City Engineer, Cuttack Municipal Corporation.

2. Let the same be filed in the shape of an affidavit serving a copy thereof on learned Advocates' Committee.

3. Put up this matter on 26th March, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

**ISSUE RELATING TO DIFFERENTLY ABLED GIRLS
STUDENTS IN SHAILABALA WOMEN'S AUTONOMOUS
COLLEGE, CUTTACK**

407.
12.03.2026

Mr. Suresh Kumar Vashishth, IAS, Principal Secretary
to Government, SS & EPD Department, Government of Odisha



and Mr. Kaliprasanna Mahapatra, IAS, Director, Higher Education Department, Government of Odisha, are present through virtual mode.

1. Pursuant to Order No.398 dated 26th February, 2026, the compliance report has been submitted by the Director, Higher Education, Government of Odisha, Bhubaneswar. The said report shall form part of this order.

2. It is borne out from the communication of the Government of Odisha in the department of SS&EPD, vide Letter No.2675/SSEPD dated 6th March, 2026 that in order to facilitate the distribution of aids and appliances to persons with disability (PWD students) studying in the institutions under the Higher Education Department, an SOP has been framed and direction has been given for adherence to the same.

For convenience of reference the said SOP is extracted hereunder:-

“xxx

xxx

xxx

1. Appointment of District Nodal Officer:

The Higher Education Department is requested to appoint a District Nodal Officer in each district and share their contact details with this Department. The District Nodal Officer shall act as the single point of contact for the District Social Security Officers (DSSOs) for smooth coordination and distribution of aids and appliances among different institutions.

2. Provision of Wheelchairs for Institutional Accessibility:



The District Nodal Officer shall provide the list of colleges functioning under their respective districts to the DSSO concerned.

Accordingly, the DSSO shall hand over three (03) wheelchairs per institution to the District Nodal Officer, as requested by your Department.

The District Nodal Officer shall subsequently distribute the wheelchairs among the educational institutions of the district to facilitate accessibility for students with disabilities. The transportation costs to be borne by Department of Higher Education.

3. Collection of List of PwD Students and their Requirements:

The District Nodal Officer shall furnish college-wise details of PwD students in the following format:

SI No.	Name of the Student	Gender	Type of Disability	% of Disability	UDID/ Disability Certificate No.	Mobile No.	Address	List of Aids & Appliances Received Previously (with year)	Aids & Appliances Required

The DSSO shall verify the details beneficiary-wise through field-level verification.

Further, the DSSO shall check the availability of required aids and appliances from the inventory at the District / Block level, and the available devices shall be supplied to the District Nodal Officer for distribution among the identified students.

4. Procurement of Aids and Appliances:

In case the required aids and appliances are not available in the District / Block inventory, the same may be enlisted by the DNOs and submitted to DSSOs. DSSOs to intimate the Department before making any procurement at their level. The SSEPD Department will check its inventory status before giving approval to procure such items at the District level. After seeking approval from the SSEPD Department these items are to



be procured at the district level by the concerned DSSO, observing the guidelines issued earlier vide Order No. 8722/SSEPD dated 01.08.2025, under intimation to this Department. It is to inform that this Department has empowered all District Collectors to procure aids and appliances up to a limit of Rs.10 lakh per beneficiary for smart assistive appliances.

In respect of non-availability of other required Aids and Appliances, the DSSO shall submit District-wise consolidated requirements to this Department for taking necessary action.

xxx

xxx

xxx”

3. It is further stated by the Secretary, SS&EPD that an amount of Rs.15.00 crores has been sanctioned and transferred to the Higher Education Department for construction of Special (disabled friendly) toilets and ramps in all G.I.A. Institutes.

4. It is also submitted by the Secretary, SS&EPD Department, Government of Odisha and Director, Higher Education, Odisha that steps are being taken to appoint Nodal Officers in each districts for smooth and seamless utilization of the funds.

5. Director, Higher Education Department has assured this Court that the construction of the Special (disabled friendly) toilets and ramps in all G.I.A. Institutes are expected to be completed within a period of two months hence.

6. Progress made in this regard be placed on record by way of affidavit to be filed by 11.05.2026.



7. Put up this matter on 13th of May, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

I.A. No.22709 of 2025 (FLAG-549)

&

I.A. No.22711 of 2025 (FLAG-550)

408.
12.03.2026

1. These interim applications have been filed for intervention.

2. Put up these matters along with the issues relating to 'Jalasaya' scheduled to be taken up on 19th March, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge