



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. Lalatendu Samantaray, Sr. Advocate
President, OHCBA
Mr. H.N. Mohapatra, Advocate
Secretary, OHCBA

-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
16.04.2026

Order No. 1) **RECONSTITUTION OF COMMITTEE(S) TO ASSIST
THE COURT**

416. 1. On submission of Mr. Lalatendu Samantaray,
16.04.2026 Senior Advocate, President and Mr. Hrudananda
Mohapatra, Secretary of Orissa High Court Bar
Association respectively, the Committee to oversee the
issues relating to SCBMCH and Sadar Vallabhbai Patel
Post Graduate Institute of Paediatrics, Sishu Bhawan,



Cuttack is reconstituted consisting of the following members:-

- (1) Mr. Hrudananda Mohapatra, Secretary, High Court Bar Association,
- (2) Mr. Prasanta Kumar Jena, Advocate
- (3) Mr. Niranjana Lenka, Advocate
- (4) Mrs. Kajal Sahu, Advocate
- (5) Mrs. Sudha Mayee Das, Advocate
- (6) Mr. Saroj Kumar Padhy, Advocate

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

2) ISSUES OF SCBMCH, CUTTACK

i) INTERDEPARTMENTAL COORDINATION

417-A. 1. These matters are taken up through hybrid arrangement
16.04.2026 (video conferencing/physical mode).

2. Mr. Nayak, learned Additional Government Advocate submits that the direction as per the Order No.413-B dated 9th April, 2026 shall be complied with after submission of report of the newly constituted Advocates' Committee.



3. Put up this matter on 2nd July, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

ii) **FUNCTIONING OF TRAUMA CARE CENTRE**

417-B.
16.04.2026

1. Mr. Nayak, learned Additional Government Advocate, on instruction, states that one member of Judicial Commission had already visited the Trauma Care Unit on 13th April, 2026 and scheduled to revisit the place today also. It is submitted that after the fact-finding visit is completed by the Judicial Commission, the restoration work of Trauma Care Unit of SCBMCH shall be expedited.

2. Put up this matter on 14th of May, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge



- 3) **SARDAR VALLABHBHAI PATEL POST GRADUATE
INSTITUTE OF PAEDIANTICS-SISHU BHAWAN**
i) **OPEN DRAIN IN SHISHU BHAWAN**

418.

16.04.2026

1. Report submitted by learned Deputy Registrar (A&P) and learned Assistant Registrar (Administration), pursuant to Order No.414-A dated 9th April, 2026 in sealed cover is opened in Court and taken on record.
2. The matter shall be considered after the reconstituted Committee meant to oversee the issues relating to SCBMCH and Sardar Vallabhbhai Patel Post Graduate Institute of Paediatrics, Sishu Bhawan, Cuttack, makes an inspection and submits a report with regard to alleged encroachment over the municipal drain outside the campus of Sishu Bhawan. The report shall be submitted by 4th May, 2026.
3. Put up this matter on 7th May, 2026.
4. Learned Advocate's Committee shall be provided with DPR(s) of the Internal Drainage System of Sishu Bhawan within a period of seven days.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge



OTHER ISSUES

1) UNSAFE BUILDING IN CUTTACK CITY: ACTION TAKEN THEREON

419.
16.04.2026

1. Pursuant to Order No.388 dated 12th February, 2026, a report has been submitted by the Additional District Magistrate-cum-Nodal Officer, Cuttack. Annexure-II of the said report is extracted hereunder;

REPORT ON SCHOOL BUILDING SAFETY INSPECTION IN CUTTACK CITY (CUTTACK R & B DIVISION - I)						
Sl. No.	Name and Address of the School	Category (Govt./Pvt)	School having Structurally Sound Building	School having Minor Structural Issues	School having Major Structural Issues (Unsafe for Occupancy)	Remarks
1	2	3	4	5	6	7
1	Xt. Xavier High School, Mission Road, Buxibazar, Cuttack	Private	No	No	Yes	Approximately pre-independence building, cracks developed, wooden joists & rafters are damaged, exposure bricks are in damaged condition and found vegetables are in heavy growth outside of the building etc. Almost in dilapidated condition. Structural Stability shall be carried out by a consultant.
2	Hadibandhu Nodal UP School, Manisahu Chhaka, Buxibazar, Cuttack	Govt.	Except 1 No. of Building	1 No. of Building	1 No. of Building	Front building was pre-independence construction, cracks developed in walls, wooden joists & purlins are in damaged condition, brick walls are in damaged condition etc
3	Govt. UP School Reserve Police Line, Buxibazar	Govt.	Yes	2 Nos. of Building	No	Two nos. of buildings needs major repair.
4	Mission Govt. Primary School, Mission Road, Buxibazar, Cuttack	Govt.	Yes	2 Nos. of Building	No	Two nos. of buildings needs major repair i.e. ceiling & flooring repair
5	Govt. UP School, Gangamandir, Odia Bazar, Cuttack(1865)	Govt.	Except 1No. of Building	No	Yes	One no. of building seems to be unsafe i.e vertical cracks developed on walls, roof reinforcements are exposed & deteriorated.
6	Halima Urdu Govt. Primary School(1953), Dewan Bazar, Ward no- 19, Cuttack	Govt.	Yes	1 No. of Building	No	Two nos. of buildings needs major repair i.e. ceiling & grading repair
7	Sayed Seminary Urdu Primary School (1962), Seminar Chaka, Cuttack	Private	Except 1No. of Building	No	Yes	One no. of building seems to be unsafe i.e vertical cracks developed on walls, roof reinforcements are exposed & deteriorated condition.
8	Reserve Police High School, At RP Line, Cuttack	Govt.-aided	Yes	No	No	In good Condition
9	Buckly Girls High School at Mission Road, Buxibazar, Cuttack	Govt.-aided	Yes	Yes	No	2 Nos. of Class room of 1st floor (Asbestos) required for repair and renovation work.
10	Tulasipur Govt. High School Cuttack	GOVT	Yes. (Except office building & two single storeyed RCC roof building)	Yes. (The Office Building (Single storeyed) is deteriorated with damaged ceiling plaster in patches & exposer of reinforcement.)	Yes.(Two nos of Single storied RCC roof Building inside the campus are in dilapidated condition with damaged roof, wall & not in use at present)	Structurally sound at present!(Except the buildings with dilapidated condition as mentioned in column 5 & 6



11	Municipality Govt. High School, Bidanasi, Cuttack-14	GOVT	Yes	No	No	Structurally sound at present
12	Ravenshaw Colligate School	GOVT	Yes	No	No	Structurally sound at present
13	Municipality Govt. High School, Mansingh patna	GOVT	Yes	No	No	Structurally sound at present
14	Radhanath Institute of Advanced Study in Education, Cuttack	GOVT	Yes (Except the building with dilapidated condition as mentioned in column-6)		Ladies Hostel (G+1) building and Qtr no. UGC D-1 & UGC D-2 and out houses are in fully dilapidated condition.	Structurally sound at present except the building with very dilapidated condition as mentioned in column 6
15	Govt. Elementary Teacher Education institute, Urdu at Shaikh Bazar,	GOVT	Yes	No	No	Structurally sound at present
16	Bhaktamadhu Bidyapitha, Cuttack	GOVT	Yes (Except the buildings with dilapidated condition as mentioned in column 5 & 6)	Yes (Tow nos of rooms are in dilapidated contions)	Tata memorial Building inside the premises is unsafe for occupancy.	Tata memorial Buildings inside the premises has been declared unsafe vide O/O- Superintending Engineer(R&B) Division-1 letter no-16355 dt 28/10/2025.
17	PM Academy, Cuttack	GOVT	Yes (Except the buildings with dilapidated condition as mentioned in column 5 & 6)	Yes (ceiling plasters in rooms and verandah are in damaged condition at places)	The Auditorium room with AC Sheet roofing is in very dilapidated condition and not in use at present.	The Auditorium room with AC Sheet roofing is in very dilapidated condition and not in use at present. & ceiling plasters in rooms and verandah are in damaged condition at places.
18	Raghunath Jew Bidyapitha, Deulisahi, Cuttack.	GOVT	Yes	No	No	Structurally sound at present
19	M.P.L Model High School Choudhary Bazar	GOVT	Yes	No	No	Structurally sound at present
20	M.P.I City High School, Raja Bagicha	GOVT	Yes	No	No	Structurally sound at present and ceiling plasters in rooms and verandah are in damaged condition at places.
21	Odisha Police High School, Tulaspur	GOVT	Yes (Except the buildings with dilapidated condition as mentioned in column 5 & 6)	A portion of compound wall at left side is in tilting condition	Yes (one single storey RCC Roof building with AC Sheet extension inside the school campus is unsafe for occupancy.)	One single storey RCC Roof building with AC Sheet extension inside the school campus is in dilapidated condition and not in use at present. & a portion of compound wall at left side is in tilting condition

Handwritten signatures and initials below the table.

22	Marwari High School, Cuttack near High Court Square, Banka Bazar, Cuttack.	GOVT	Yes (Except the buildings with dilapidated condition as mentioned in column 6)		Yes (Back Side (G+1) Building having three class rooms in GF and Gallery with class rooms in 2nd Floor is unsafe for occupancy)	Back Side (G+1) Building having three class rooms in GF and Gallery with class rooms in 2nd Floor has been declared unsafe Vide Letter no 3447 Date:- 15.05.2012 of EE, Cuttack R&B Division No - 1, Cuttack
23	Govt. Girl's High School, Kazi Bazar, Cuttack	GOVT	Yes		No	Ceiling plasters in rooms and verandah are in damaged condition at some places
24	Ravenshaw Govt. Girl's High School, Oriya Bazar, Cuttack	GOVT	Yes	No	No	

Handwritten signature and date: 07/05/2026
AEE, CMC, Cuttack

Handwritten signature and date: 7.3.26
Superintending Engineer, R & B, Cuttack Division - I

Handwritten signature and date: 27/3/26
Superintending Engineer, R & B, Cuttack Division - II

Handwritten signature and date: 07/05/26
Tahasildar, Saaha, Cuttack

Handwritten signature and date: 07/05/26
District Education Officer, Cuttack

Handwritten signature and date: 07/05/26
Sub-Collector, Sadar, Cuttack



REPORT ON SCHOOL BUILDING SAFETY INSPECTION IN CUTTACK CITY (CUTTACK R & B DIVISION - II)

Sl No.	Name and Address of the School	Category (Govt. / Pvt)	School having Structurally Sound Building	School having Minor Structural Issues	School having Major Structural Issues (Unsafe for Occupancy)	Remarks
1	KAZIDIHA UOMES	GOVT	YES	NO	NO	In good condition
2	BIDYADHARPUR NODAL UPS	GOVT	YES	NO	NO	In good condition
3	BIDYADHARPUR UPS	GOVT	YES	NO	NO	In good condition
4	CHAULIAGANJ UPS	GOVT	YES	NO	NO	In good condition
5	BIDYADHARPUR GIRLS HS	GOVT	YES	NO	NO	In good condition
6	O.S.A.P HS	GOVT	YES	NO	NO	Repair / plaster of Ceiling
7	KUNJABIHARI JEW HS	GOVT	YES	NO	NO	In good condition
8	CHAULIAGANJ GIRLS HS	GOVT	YES	NO	NO	In good condition
9	SATSANGA NODAL HS	GOVT	YES	NO	NO	In good condition
10	C.R.R.I HS	GOVT	YES	NO	NO	In good condition
11	NUABAZAR HS	GOVT	YES	NO	NO	In good condition
12	RAJENDRANAGAR PS	GOVT	YES	NO	NO	Repair / plaster of Ceiling
13	BIDYADHARPUR HARLIJANA PS	GOVT	YES	NO	NO	In good condition
14	LEPROSY HOME PS	GOVT	YES	NO	NO	Repair / plaster of Ceiling & grading
15	MAHANADI VIHAR UPS	GOVT	YES	NO	NO	One class room is structurally unsafe and repair / plaster of ceiling
16	OMP NODAL UPS	GOVT	YES	NO	NO	Repair / plaster of Ceiling
17	KUNJABIHARI JEW UPS	GOVT	YES	NO	NO	One class room is structurally unsafe
18	GOVT. UPS BADAMBADI NEW COLONY	GOVT	YES	NO	NO	In good condition
19	SECONDARY BOARD SCHOOL, CUTTACK	GOVT	YES	NO	NO	In good condition
20	KAMALA KANTA NODAL BIDYAPITHA	GOVT	YES	NO	NO	In good condition

[Handwritten signatures and initials]

21	BUDHI MANGALA VIDYAPITHA HS	GOVT	YES	NO	NO	In good condition
22	CHHATRABAZAR NODAL HS	GOVT	NO	NO	YES	Longitudinal cracks have been noticed on the walls, certain window lintels show signs of deterioration and roof projections are cracked with spalling/peeling of concrete. The above observations pertain to old primary block among all the buildings by physical inspection.
23	RAILWAY SETTLEMENT HS	GOVT	NO	NO	NO	The school building located at the Railway Settlement has been declared structurally unsafe by the Railway Department and subsequently dismantled. The said school has been shifted from Station Bazar to Malgondown Railway Colony. However, the Railway Department has not handed over the school building to R&B section for further necessary action.
24	Utkalmani Smaraki Vidya Pitha, ward No-45	GOVT	NO	-	Unsafe for Occupancy	Unsafe for Occupancy

[Signature]
AEE, CMC, Cuttack

[Signature]
7.03.26
Superintending Engineer, R & B, Cuttack Division - I

[Signature]
Superintending Engineer, R & B, Cuttack Division - II

[Signature]
Tahasildar, Sadar, Cuttack

[Signature]
District Education Officer, Cuttack

[Signature]
Sub-Collector, Sadar, Cuttack

2. The report reveals that by the date it was submitted, 48 schools had already been visited. The report reveals a shocking state of affair. It appears that the St. Xavier School, Misson Road, Buxi Bazar, Cuttack is



functioning in an almost dilapidated building and the structural stability report has not been produced along with the report.

3. Mr. Kamaljit Dash, the Additional District Magistrate, Cuttack, however, assures this Court that steps shall be taken keeping in mind the safety of the children as well as other teaching and non-teaching staff of the school and if required, necessary arrangement shall be made in consultation with the management of the school.

4. Steps taken in this regard shall be submitted by 4th May, 2026.

5. Put up this matter on 7th May, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

2) **CREMATORIUMS AND THE GRAVEYARDS**

420.
16.04.2026

1. Pursuant to Order No.389 dated 12th February, 2026, it is stated that a discussion was made with all the



stakeholders of 31 crematoriums/graveyards of the Cuttack City. From the above, it is revealed that 14 crematoriums/smasans do not have drinking water facility.

2. Mr. Baiswa Bhushan Behera, the General Manager, WATCO Division, Cuttack, who appears through virtual mode, intimates that out of 14, 11 crematoriums have already been provided with drinking water facilities. In Tulasipur crematorium, presently water supply can be provided through hand pump/tubewell. For supply of piped drinking water, road cutting will be required. He further submits that in Khannagar smasan, drinking water supply through pipeline can only be provided from Malachandia Chhack, for which road cutting will also be required and communication has been made in this regard with the CMC to do the needful.

2.1. In respect of Kanheipur smasan, although a report was submitted for providing drinking water supply by 10th March, 2026, however, such timeline could not be adhered to on account of issue relating to land.

3. Mr. Kamaljit Dash, the Additional District Magistrate, Cuttack, who appeared through virtual mode, however, submitted that an alternative path for providing piped drinking water to Kanheipur smasan has already been



identified and drinking water supply shall be made to Kanheipur smasan within seven days.

4. Mr. Nayak, learned counsel appearing for the CMC drew attention of this Court to the affidavit filed by the Health Officer, CMC, Cuttack, in which it is indicated as under:

“4. xxx xxx xxx

(a) Regarding both Gas and Wooden Crematoriums at Khannagar, it is humbly submitted that Common Toilet/Wash Room facilities, separately for Male and Female, are available for both Gas and Wooden Crematorium at Khannagar. Rest shed, drinking water facilities and lighting facility are also available in the said crematoriums.”

5. Mr. Nayak, learned counsel for CMC submitted that he has no definite instruction with regard to Tulasipur crematorium. He, however, prays for a short adjournment to place on record the drinking water facility and basic amenities available at Gorakabar by the next date.

6. Re-constituted Advocates’ Committee for the different Wards of the CMC shall visit the respective smasan/graveyards and submit a report with regard to provision of drinking water and other basic amenities to the said crematoriums/graveyards.



7. Put up this matter on 21st May, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

421.
16.04.2026

3) **KRUSHAKA BAZAR**

1. The Commissioner, CMC, Ms. Kirandeep Kaur Sahota, IAS, flagged different issues with regard to non-cooperation of RMC in preparing the DPR and releasing the funds relating to sanitation.

2. Mr. Mohanty, learned counsel representing the RMC refutes such accusation and submits that the executing agency is charging approximately Rs.40,000/- per month for carrying out sanitation work of Damana hata under RMC Jatni, which is spread over the larger area than Krushak Bazar but, surprisingly it is charging much higher price for doing the self-same work for Krushak Bazar, for which negotiations are underway with such executing agency.

3. Be that as it may, it is directed that the RMC shall release dues which according to them are payable to the CMC before the next sitting, fixed on 23rd April, 2026. On



the said date all the stakeholders including the Sub-Collector shall appear in person or through virtual mode to assist this Court.

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

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

4) **SANITATION, DUSTBINS, AND URBAN HAT AMENITIES**

422.
16.04.2026

1. Perused the affidavit filed by Deputy Commissioner, Cuttack Municipal Corporation at Flag-595.

2. Heard Mr. Nayak, learned Additional Government Advocate for the CMC.

3. Put up this matter on 14th of May, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge



5) **JALASAYA IN CUTTACK CITY**

423.
16.04.2026

1. Put up this matter on 14th of May, 2026 along with W.P.(C) No.9451 of 2019.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

6) **PETANALA**

424.
16.04.2026

1. Mr. Abinash Raul, Chief Engineer and Mr. Malay Dharua, Executive Engineer of Water Resources Department joined the proceeding through virtual mode.

2. The Executive Engineer informed this Court that four tenders have been floated for construction of side walls of Petanala. The Bar raises an issue with regard to cleaning of Petanala.

3. The Chief Engineer assures this Court that pending finalization of the tenders, in the meantime steps shall be initiated to clean the Petanal.

4. The Executive Engineer also intimated the Court that the tenders floated are expected to be finalized and the work is expected to commence in the month of June, 2026.



5. Put up this matter on 23rd April, 2026. Both the Chief Engineer and Executive Engineer shall appear either through virtual/ physical mode on the said date.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

S.S.SATAPATHY