



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. Prasanna Kumar Parhi, Sr. Adv., DSGI
Mr. Debasis Nayak,
Additional Government Advocate &
Advocate for the CMC
Mr. P.K. Bhuyan, Adv. (WATCO)
Mr. Abhisek Mohanty, CGC,
Mr. Millan Kumar, CGC
and Mr. Kaibalya Panda, CGC

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

ORDER
23.04.2026

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

Order No. 1) **BSWC DRAIN OF CUTTACK**

425. 1. Pursuant to order No.402 dated 26th February, 2026,
23.04.2026 Mr. Debabrata Mohanty, the Managing Director, WATCO
filed an affidavit stating that in respect of structural design of



five numbers of BSWCs, the Indian Institute of Technology (IIT), Bhubaneswar has given its clearance for submission of final design and drawing for approval on 16th April, 2026. Accordingly, the final design and drawing were submitted by WATCO to IIT, Bhubaneswar on 18th April, 2026 for approval.

2. It is submitted by the Managing Director, WATCO that the approval has already been received on 21st April, 2026 from the IIT, Bhubaneswar. He further submits that estimate shall be submitted within a period of fifteen days hence and by 15th June, 2026 tender shall floated.

3. The aforesaid letter of approval dated 21.04.2026 and the timeline for compliance of various activities culminating in the proposed tender has been submitted by Mr. Bhuyan, learned counsel for the WATCO, which is taken on record.

4. According to the timeline submitted, the work of finalization of estimate will be completed by 10.05.2026, administrative approval by Board of Directors of WATCO will be obtained by 30.05.2026, technical sanction for the project will be accorded by 08.06.2026, RFP and DTCN will be prepared by 12.06.2026 and the tender will be floated by 16.06.2026.

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

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge



2) **SARDAR VALLABHBHAI PATEL POST GRADUATE
INSTITUTE OF PAEDIANTICS-SISHU BHAWAN**
i) **BEAUTIFICATION OF OPEN POND IN SISHU
BHAWAN**

426-A.

23.04.2026

1. Pursuant to order No.404-B dated 12th March, 2026, learned Advocates' Committee submitted its report on issues relating to Sardar Vallabhbhai Patel Post Graduate Institute of Paediatrics- Sishu Bhawan. A copy of the said report is made over to Mr. Nayak, learned Additional Government Advocate.

2. This Court heard Dr. (Prof.) Pravakar Mishra, the Superintendent of Sardar Vallabhbhai Patel Post Graduate Institute of Paediatrics- Sishu Bhawan and Mr. Shahbaz, the Superintending Engineer (R & B) Division, Cuttack. They submit that they will respond to the report of the learned Advocates' Committee by the next date.

3. Dr. (Prof.). Mishra, the Superintendent of Sardar Vallabhbhai Patel Post Graduate Institute of Pediatrics- Sishu Bhawan expressed concern over discharge of sewerage water into the pond at present as there is no internal drain system in Sishu Bhawan.

No expertise is needed to predict that situation inside SVPPGIP will be grave during the upcoming monsoon.

4. Mr. Shahbaz, the Superintending Engineer (R&B) Division, Cuttack submits that he shall consult with WATCO for effectively tackling the issue.

Mr. Baishnu Bhushan Behera, the General Manager, WATCO also assures to work in cooperation with



Mr. Shahbaz, the Superintending Engineer (R&B) Division, Cuttack in addressing the issue.

5. Joint affidavit shall be filed by both the Superintending Engineer (R&B) Division, Mr. Shahbaz and the General Manager, WATCO, Mr. B.B. Behera suggesting remedial measures to be taken to ensure that there is no water logging inside the Sishu Bhawan till the internal drainage system becomes functional.

6. Put up this matter on 14th May, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

ii) **ISSUE RELATING TO RADIOLOGY**
PROFESSIONAL POSTED AT SISHU BHAWAN

426-B.
23.04.2026

1. Prof (Dr.) Tapan Kumar Behera, Assistant Professor Radiology, SCBMCH, Cuttack is posted at Sishu Bhawan.

2. Drawing attention to paragraph-7 of the joint inspection report submitted by the learned Advocates' Committee, it is submitted by Mr. Parhi, learned counsel and Member of the Committee that the CT Scan Machine has already been installed in the Sishu Bhawan and trial run, i.e., signoff has been completed.

2.1. Online application of Dr. Tapan Kumar Behera, Assistant Professor, Radiology Department, SCBMCH,



Cuttack, who is posted at Sishu Bhawan submitted on 17th March, 2026 to the Atomic Energy Regulatory Board (AERB) for registration of Radiation Professional, is still pending consideration. And, due to non-receipt of such registration, the C.T. Scan machine cannot be used.

2.2. Mr. Parhi, learned DSGI submits that he shall take instruction in the regard and see that registration of the radiation professional is done at the earliest for functioning of the CT Scan Machine at Sishu Bhawn.

3. A compliance report in the above regard shall be submitted by 11th May, 2026.

4. Put up this matter on 14th May, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

3) **ISSUES IN SCBMCH, CUTTACK**

i) **ONLINE REGISTRATION OF OPD PATIENTS**

427.
23.04.2026

1. Prof. (Dr.) Choudhury, Superintendent of SCBMCH, Cuttack submits that online registration of patients from remote points as well as patients visiting (OPD patients) is being done.



2. Mr. Nayak, learned AGA submits that a compilation of the list of patients registered through online for the month of March and April, 2026 shall be submitted by 7th May 2026.

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

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

4) SATYABRATA STADIUM

428.
23.04.2026

1. Compliance affidavit filed by Superintending Archaeologist, Archaeological Survey of India, Puri Circle, Odisha filed in Court is taken on record.

2. It is stated that paver blocks laid down in the walking track inside the premises of the Stadium have already been removed. Annexure-2 of the said affidavit contains a letter dated 10th April, 2026 addressed to the Commissioner, CMC by the Superintending Archaeologist in which, it is requested that CMC has to install new bio-toilets as well as to maintain the existing toilet block at Satyabrata Stadium, Barabati Fort in Cuttack. It is also requested therein that the CMC has to deploy the cleaning staff for cleaning of existing toilets as well fresh bio-toilets



(to be installed by CMC) inside the premises of the Stadium.

3. Mr. Samantaray, learned Senior Advocate and President of the High Court Bar Association draws attention to Annexure-5, the joint inspection report dated 15th April, 2026 being attended by General Manager, WATCO, Cuttack, City Engineer, CMC, Deputy Superintendent, Archaeological Engineer, ASI, Puri Circle and Superintending Archaeologist, ASI, Puri on this issue. Following matters were discussed and decisions therein were taken.

1. Provision of Drinking Water Facilities by WATCO

WATCO shall provide two (02) drinking water kiosks at the following locations:

- *Near the North-East corner entrance gate*
- *Near the basketball court inside Satyabrata Stadium*

Each kiosk shall include necessary infrastructure such as water supply pipeline, kiosk structure (approximately 10 feet in height), underground reservoir, overhead tank, and water dispensing taps, complete in all respects.

2. Provision and Maintenance of Toilet Facilities by CMC

CMC shall:

- *Construct total three (03) public toilet block (for male, female, and PwD users) near the basketball court.*
- *Make the existing toilet block (constructed by the Block Office along the eastern side walkway) functional and ensure its proper cleaning and maintenance for public use.*



3. Submission of Proposal by WATCO to ASI

WATCO shall submit a detailed proposal, including technical requirements, to ASI for approval to facilitate the provision of drinking water facilities at the identified locations and to enable further necessary action.”

Consequential steps taken by the WATCO and CMC shall be placed on record on the next date by way of affidavit to be submitted by 11.05.2026.

4. Grievance has been raised with regard to cleaning of premises of Satyabrata Stadium.

In view of the joint inspection report dated 15th April, 2026 (referred to above), this Court feels that there would be no difficulty on the part of the ASI in granting permission to clean the premises of Satyabrata Stadium. The learned Senior counsel, Mr. Parhi, DSGI assures this Court that if initiatives is taken by the CMC in this regard for upkeep of the premises, the ASI shall respond to the same by giving necessary clearance and upkeep of the precincts of Satyabrata Stadium in the light of Annexures-2, 3 and 4 of the compliance report referred to herein above.

5. Mr. Kamaljit Dash, ADM-cum-Nodal Officer of the District Administration stated that under letter No.1083/Judl. dated 17th April, 2026 the DPR has been submitted to this Court. Since the same was addressed to the Registrar (Judicial) of this Court and the DPR is not on



record, the learned Registrar (Judicial) was asked to verify the same.

The said DPR submitted by Registrar (Judicial) is taken on record.

6. The Mr. Kamaljit Dash, ADM-cum-Nodal Officer of the District Administration is directed to ensure the presentation of the DPR by way of walkthrough 3D presentation on 14th of May, 2026.

Put up this matter on 14th May, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

429.
23.04.2026

5) **KRUSHAKA BAZAR**

1. Mr. Choudhury, learned member of the Advocates' Committee submitted a report along with a copy of the DPR relating to overall development of Krushaka Bazar.

2. The view of the Sub-Collector, Cuttack especially concerning the drainage system in the said DPR were sought.



On considering the submissions at the Bar, this Court feels that further hearing on the DPR is required, in presence of the Managing Director, WATCO, Commissioner, CMC and other stakeholders.

3. Hence, the matter stands adjourned to be listed on 07.05.2026 on which date, the Managing Director, WATCO as well as Commissioner, CMC shall appear physically or through VC to participate in the hearing with regard to the issue relating to Krushaka Bazar.

4. The Sub-Collector, who is the Chairman of RMC shall also remain present either physically or virtually to assist the Court on the issue. In the meantime, the Sub-Collector, Chairman RMC, who manages Krushaka Bazar may discuss with the Managing Director, WATCO, regarding the drainage work system as mentioned in the DPR to be undertaken by WATCO.

5. Put up this matter on 07th of May, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge



6) **PETANALA**

430.
23.04.2026

1. It is submitted by Mr. Malay Dharua, Executive Engineer, Drainage Division of Water Resources Department that pursuant to order No.424 dated 16.04.2026 cleaning of Petanala has already commenced w.e.f. 20.04.2026. At present it is being done manually. Machineries are proposed to be deployed for cleaning of the Petanala pending finalisation of the tender process.

2. Although it was submitted on the last date on 16.04.2026 by Mr. Dharua, the Executive Engineer that four tenders were floated for renovation of petanala but the Chief Engineer has clarified that renovation of Petanala has been subdivided into three parts and two tenders have already been floated. The remaining tender will be floated by the 1st week of May, 2026.

3. It is also submitted by Mr. Dharua, the Executive Engineer that the cleaning has commenced from CDA Sector-10 end (Mantessori gada). Hence, learned Advocates' Committee is requested to visit the site and submit a report with regard to the progress of the cleaning of Petanala by the next date.

4. This Court also perused the order No.207 dated 28.11.2024 wherein the following remedial measures were suggested;



“xxx

xxx

xxx”

The following remedial measures have also been suggested in the written instruction;

- a) There should be no direct disposal of untreated sewage / sullage or storm water into the Petanala.*
- b) All the inlets of CMC in to the Petanala should be capped/ properly covered, new drains may be constructed on both side of Petanala to STP for treatment after which, it can be allowed to enter into the Nala.*
- c) The efficacy of the existing underground sewer lines and chambers in carrying sewage may be examined and if required new pipe lines and chambers may be constructed. Existing lines may be abandoned.*
- d) Series of Bore wells may be constructed alongside Petanala for recharging the channel with fresh water. This would result in maintaining water quality with flow as necessary.*
- e) Fencing on both sides of the Petanala with wire mesh should be provided so that garbage cannot be thrown into the channel directly.*
- f) It may also be considered to educate public not to use open drains for solid or liquid waste disposal through adequate IEC activities.*

xxx

xxx

xxx”

5. Hence, this Court directs that there will be a joint meeting of (i) Chief Engineer, Drainage Division, Cuttack, (ii) Executive Engineer, Drainage Division, Cuttack, (iii) City Engineer, CMC, (iv) G.M. WATCO, Sewerage Division, (v) G.M. WATCO, Drainage Division (vi) Technical Member, CDA, (vii) Superintendent Engineer, R



& B Division regarding follow up steps taken. And, the joint report shall be submitted by 04.05.2026.

6. Put up this matter on 07th of May, 2026.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge

431.
23.04.2026

6) **ISSUE RELATING TO PARKS**

1. Considering the mention made by learned counsel Mr. Satyabrata Mohanty that the issue relating to Parks was scheduled to be taken up today but inadvertently not listed, it is directed that the same be listed on 07th of May, 2026, on which, date state of parks maintained by CMC as well as CDA shall be considered. Both CMC and CDA shall submit a report regarding the state of the said parks and the amenities, which are made available to the users.

(K.R. Mohapatra)
Judge

(V. Narasingh)
Judge