



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 250 of 2026

Santosh Chandra Deo

S/o-Late Pratap Chandra Mansingh

Managing Trustee of Kamaleswar

Dev Bijee at Deulapda, Krushna

Prasad, resident of Village/PO/PS-

Krushna Prasad, Dist-Puri

Petitioner

Mr. Arun Kumar Acharya, Advocate

-versus-

1.State of Odisha

2.Collector, Puri

3.Superintendent of Police, Puri

4. IIC, Krushna Prasad Police

Station

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5. Tahasildar, Krushna Prasad

Police Station

Opposite Parties

Mr. Swayambhu Mishra,

Additional Standing Counsel

Mr. Sukanta Kumar Dalai, Advocate

(for intervenor)

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

26.02.2026

Order No.

02.

(Through hybrid Mode)

1. This CRLMP has been filed with the following prayer:-

“The Petitioner, therefore, pray that your Lordship may be pleased to consider the facts stated in the petition, issue notice to the Opposite Parties to show cause as to why direction shall not be given to provide Police protection and to restrain the persons and the Committee from interfering with the temple administration and festivals of the Deity in question, who are not officially part of the temple management and its festivals and



further to keep the festival ground free from outside enclosures during festive occasions; if the Opposite Parties fail to show cause, show insufficient cause, make the rule absolute; issue a writ of Mandamus commanding the Opposite Parties, more particularly Opposite Party Nos.3 and 4 to consider the following prayers of the Petitioner in letter and spirit;

a)Deploy a Police Outpost with sufficient force at the Kamaleshwar Dev Temple from 26th february to 3rd March and April 13th to April 20th for following festivals: bhogo khiya, Dolo festival and Pana Sankranti festival;

b)Movement of the Deity for Bhogo khiya in Local Surrounding Should be under Direction of the Official Temple Management and Deulapada Villagers Guidance with Police Escort and Protection;

c)Provide Police Escort for the movement of the Deity towards the Dolo Festival from Deulapada to Krushna Prasad Palace Dolo festival Field on 2nd March;

d)Ensure Protection for the villagers of Daulopoda and temple staff from the interference or violence of unauthorized "Committees" or antisocial elements.

And this Hon'ble Court may further be pleased to pass any other order(s), direction(s), writ(s), as deem fit and proper in the facts and circumstances of the case;

And for this act of kindness, the Petitioner shall remain ever pray."

2. It is averred in the CRLMP that the Kameleswar Dev Bije at Deulapada (in short, 'the deity') was established from the time of the ancestors, of the petitioner i.e., during the life time of the



grandfather of the Petitioner, namely, Krushna Chandra Mansingh Harichandan Mardaraj. Therefore, the Deity belongs to the royal family. The Deity being the Deity of the royal family, the villagers of Krushna Prasad used to do Sevapuja of the Deity. With the passage of time, the Endowment declared the Deity as public Deity. However, the Royal family continued to do Sevapuja with the help of the villagers and the Petitioner remained as the managing trustee

3. Mr. Acharya, learned counsel for the Petitioner has submitted that Kamaleswar Dev Bije at Deulapada (in short, “the deity”), belongs to the royal family and the villagers of Krushna Prasad and the family of the petitioner have been performing the seva puja and all the festivals of the deity from the time of ancestors of the petitioner. He drew my attention to the letter dated 13.02.2026 of the Assistant Commissioner of Endowments, Bhubaneswar permitting the petitioner to perform the upcoming Bhogakhiya, Dola Festival and Pana Sankranti festivities of the deity as per the custom and tradition where he has been advised to seek help from the police for maintaining law and order to prevent any untoward situation during the aforesaid festivals.

4. The grievance of the petitioner was that although he had submitted the representation to the Superintendent of Police on 17.02.2026, praying for the following-

“a) Deploy a Police Outpost with sufficient force at the Kamaleswar Dev Temple from 26th february to 3rd March and April 13th to April 20th for following festivals, bhogo khiya, Dolo festival and Pana Sankranti festival

b) Movement of the Deity for Bhogo khiya in Local Surrounding Should be under direction of the Official



Temple Management and Deulapada Villagers Guidance with Police Escort and Protection.

c) Provide an Police Escort for the movement of the Deity towards the Dolo Festival from Deulapada to Krushna Prasad Palace Dolo festival Field on 2nd March

d) Ensure Protection for the villagers of Daulopoda and temple staff from the interference or violence of unauthorized "Committees" or antisocial elements."

but no response had been received from the Office of the Superintendent of Police. As the festivities are to commence from 27.02.2026 and there is a high chance disturbance from other villagers or the 'committee', he has been constrained to file the CRLMP.

5. Considering the urgency, the matter had been adjourned to today and the learned Additional Standing Counsel had been directed to obtain instructions in the matter.

6. Instructions dated 25.02.2026 of the Tahasildar, Krushnaprasad addressed to the learned Advocate General, Odisha are produced before me by Mr. S. Mishra, learned Additional Standing Counsel, where it is stated as follows;

"The Asst. Commissioner of Endowment, Bhubaneswar issued a letter vide Memo No.1310 on 13.02.2026. This letter has been directly forwarded to Sub Collector, Puri on 23.02.2026. On the same day the letter has been sent to me vide whatsapp by Sub Collector, Puri. After receiving letter immediately I had issued notice to President & Secretary 35 Mouza, President & Secretary Panchupada (Deulapada) and Sevayats of Kamaleswar temple to attend a peace Committee



Meeting on 25.02.2026 at the conference hall of Block Development Officer as per direction of District Authority. Also Santosh Chandra Deo alias Parikud Raja had been served notice with a request to attend the meeting on the scheduled date & time. The Additional Superintendent of Police, Puri, Sub Collector, Puri, Block Development Officer, Krushnaprasad, Tahasildar, Krushnaprasad & IIC, Krushnaprasad were present in the meeting held on 25.02.2026 at 11 A.M in the presence of members from 35 mouza & Panchupada (Deulapada) and Sevayats of Kamaleswar Temple. But the Parikud Raja alias Santosh Chandra Deo did not attend the meeting. The ongoing dispute was notified to the Administration previously from people of both side to us. Therefore two times meeting was conducted on 25.12.2025 and 09.02.2026 in the Chairmanship of Sub Collector, Puri to resolve the dispute between 35 Mouza & Panchupada (Deulapada). The dispute was over.

The local Administration conducted a meeting in the presence of members from both 35 Mouza & Panchupada (Deulapada) for smooth organization of Dola Festival and Pana Yatra on 22.02.2026 at 12 P.M. in Pana Yatra Padia. Unfortunately the letter from Asst. Endowment Commissioner has again raised the dispute between both 35 Mouza & Panchupada (Deulapada).

The discussion on every aspect was taken place in the meeting held on 25.02.2026. Members from both sides & Sevayats also participated in the meeting. The Administration advised members to do the Dola festival & Panayatra as per tradition continuing from the past years. But the President of



35 Mouza produced a document and said a committee in the name of Sri Sri Kamaleswar Dev 35 Mouza Panayatra, has been constituted and registered under Society registration Act, 1860 and Regd. No. is 4623-78 year 1996 for smooth management of Kamaleswar temple. Also the President of 35 Mouza intimated in the meeting that the Asst. Endowment Commissioner has passed the order without giving opportunity to 35 Mouza. So they are deprived of natural justice. When they came to know this order they have immediately filed an appeal U/S 7. Odisha Hindu Religion Endowment Act, 1951 before the Commissioner of Endowment, Bhubaneswar. Now the appeal is pending before the Commission of Endowment.

Previously it has been decided under the Chairmanship of Sub Collector, Puri a Committee will be constituted taking both the members from 35 Mouza & Panchupada(Deulapada) including BDO, Tahasildar and IIC, Krushnaprasad for smooth management of Kamaleswar temple. So President of 35 Mouza informed in the meeting that they have already given members. But Panchupada(Deulapada) has not given members to the Committee. So the President of 35 Mouza has requested Panchupada (Deulapada) to give members to the Committee for smooth management of Dola Yatra and Pana Yatra of Sri Sri Kamaleswar Dev Mahadev. The Panchupada (Deulapada) has not agreed with 35 Mouza to give members to the Committee. After several round of discussion the members from both the sides have promised to celebrate Dola yatra and Pana Yatra without violating Law & Order



and will not create disturbance. The Administration has warned members from both 35 Mouza & Panchupada (Deulapada), strong action will be initiated if anybody violates the Law during the festival. After that the meeting was concluded with vote of thanks to the Chair.”

(emphasis supplied)

7. Mr. S. Mishra, learned Additional Standing Counsel has taken exception to certain parts of the prayer in this CRLMP, stating that the petitioner in the guise of asking for police protection has also sought for an order/blanket direction from this Court to restrain “the committee” and other villagers from interfering with the temple administration during festivals of the deity in question which is uncalled for. He has also stated that Section 41 of the Hindu Religious Endowment Act (for brevity, “the Act”) deals with the powers of the Assistant Commissioner to decide certain disputes in the matter and an enquiry should have been conducted by the Assistant Commissioner before passing an order under Section 41 of the Act, which has probably not been done.

8. When this Court brought the provisions of Section 8 and 8-B of the Orissa Hindu Religious Endowments Act to his notice, he submitted that the said order has not been passed either under Section 8 or under Section 8-B of the Act.

9. Mr. S. K. Dalai, learned counsel submits that he has filed an I.A. No. 57 of 2026 for intervention in this matter today on behalf of the Kamaleshwar Dev at Panchatiris Mouza, Pana jatra Parichalana Committee, (in short, “Committee”) represented through its president- Surendranath Majhi. He submits that the CRLMP is based upon suppression of facts and an attempt has been made to mislead



this Court, for which he wants to intervene in the matter to bring the relevant facts before the Court. He submits that the committee has been carrying out the Bhogo Khiya, Dolo Festival and Pana Sankranti festival since many years and for the first time, the petitioner has approached the authorities. He also submits that challenging the order/memo No. 1310 dated 13.02.2026, Shri Surendranath Majhi has filed an application before the Commissioner of Endowments, Orissa and this application is likely to be taken up today. He also submits that he is going to file a writ petition today on behalf of Shri Shri Kamaleshwar Dev at Panchatiris Mouza, Pana Jatra Parichalana Committee (in short, “Committee”), represented through its President- Surendranath Majhi and steps are being taken for listing the case before the assigned Division Bench tomorrow.

10. After hearing the learned counsels for the parties, I do not think it necessary to take up the I.A for intervention before disposal of this CRLMP as I am not going to decide the authority of the petitioner to conduct the Bhogo Khiya, Dolo Festival and Pana Sankranti, which will be decided by the authority/ Court having jurisdiction to do so. CRLMPs are applications under Article 226 and 227 of the Constitution of India in criminal matters and the right, title of a person under the Orissa Hindu Religious Endowments Act cannot be decided in a CRLMP.

11. As it is not disputed that the festivities of Bhogokhia and Dola Festival are to start from tomorrow-27.02.2026 and will continue till 02.03.2026 and in his instructions of the Tahasildar, Krushnaprasad has stated that *“After several round of discussion the members from both the sides have promised to celebrate Dola yatra and Pana Yatra without violating Law & Order and will not create*



disturbance. The Administration has warned members from both 35 Mouza & Panchupada (Deulapada), strong action will be initiated if anybody violates the Law during the festival.” the CRLMP is taken up for disposal.

12. The CRLMP is disposed of, directing the Opposite Party No. 3-Superintendent of Police, Puri and Opposite Party No.4-IIC, Krushna Prasad Police Station, Puri to provide police assistance which may include deploying a police outpost with sufficient force to ensure that the Bhogakhia, Dola Festival and movement of the deity during these two festivals is conducted peacefully without any disturbance or interference.

13. This order will be subject to any order which may be passed in the writ petition filed by the Committee which is likely to be listed tomorrow or the Commissioner of Endowments.

14. Since the dates of the Panasankranti festival are from 14.04.2026 to 20.04.2026, which is after more than one month, I do not consider it necessary to issue any direction in this CRLMP for police protection during that period.

15. Certified copy of the order be granted in course of the day to all the parties.

(Savitri Ratho)
Judge

Subhalaxmi