

IN THE HIGH COURT OF ORISSA AT CUTTACK

**WP(C) No.6199 of 2022**

(Through Hybrid mode)

***Baikuntha Mohapatra*** .... ***Petitioner***

Mr. Prafulla Kumar Rath, Advocate

-Versus-

***State of Odisha and others*** .... ***Opposite Parties***

*Mr. A.K. Nanda, Addl. Govt. Advocate*

*Ms. Naidu, Advocate (for Commissioner)*

*Mr. V. Mohapatra, Advocate (for O.P. no.4)*

**CORAM:**

**JUSTICE ARINDAM SINHA  
JUSTICE SANJAY KUMAR MISHRA**

**ORDER**  
**14.03.2023**

**Order No.**

4.

1. Mr. Rath, learned advocate appears on behalf of petitioner. He submits, impugned is enquiry report dated 29<sup>th</sup> December, 2021 made by Principal Secretary (I/C), Government of Odisha, Law Department concluding that allegations made against the Mahant are not based on substantive evidence. So, the Commissioner of Endowments, Odisha, Bhubaneswar was right in not taking any action against the Mahant.

2. He submits, his client had initially brought to notice several irregularities, ultimately enquired by Deputy Commissioner of Endowments and reported on 18<sup>th</sup> June, 2013. He demonstrates from the report that several discrepancies were

found in reality as contrary to what was the report of the Inspector of Endowments-I. Particulars were also given regarding investments made by the Mahanta in his own name and that he was leading a luxuries life staying in Bhubaneswar instead of performing his spiritual service being Mahant of the religious institution at Puri. He submits, this report was overcome by directing another enquiry and obtaining favourable report. On challenge mounted by his client in this Court, there was direction and impugned enquiry report made. He submits, it is clear from paragraphs 39 and 40 in impugned report that the Mahanta has named his successor to be his brother. The procedure and custom followed does not admit of making the affairs of the religious institution a family business. He seeks interference.

2. Mr. Nanda, learned advocate, Additional Government Advocate appears on behalf of State. Ms. Naidu, learned advocate appears for the Commissioner and Mr. Mohapatra, learned advocate for opposite party no.4.

3. List on 21<sup>st</sup> March, 2023.

***(Arindam Sinha)***  
***Judge***

***(S. K. Mishra)***  
***Judge***