



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C. No. 6581 OF 2026

Shri Shri Kamaleswardev, **Petitioner**
At-Panchatiris mouza, Panajalra Parichalana
Committee, represented through its President,
Surendranath Majhi, AT/PO- Titipa,
P.S-Krushnaprasad, Dist-Puri.

Mr. Sukanta Kumar Dalai, Advocate

-versus-

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

Mr. Milan Kanungo, Senior Advocate
being assisted by Mr. Arun Kumar Acharya, Advocate
(For Opposite Party No.6)

Mr. Swayambhu Mishra,
Additional Standing Counsel
(For Opposite Party Nos.1, 2, 4, 7 and 8)

Miss Pratyusha Naidu, Advocate
(For Commissioner of Endowments)

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAY KUMAR MISHRA

ORDER

27.02.2026

Order No.

1. This matter is taken up through hybrid mode.
2. Memo of appearance filed by Mr. Milan Kanungo, learned Senior Advocate along with Vakalatnama of Mr. Arun Kumar Acharya, Advocate and Mr. Asish Mishra on behalf of the Opposite Party No.6 in Court are taken on record.
3. Petitioner, in this Writ Petition, seeks to assail the order dated 13th February, 2026 (Annexure-1) passed by learned Assistant Commissioner of Endowments, Bhubaneswar in allowing Opposite Party No.6, namely, Sri Santosh Chandra Deo, to perform the ensuing Dola festival and Pana Sankranti of the Deity- Shri Kamaleswardev, Bije Deulapada under PS/Tahasil: Krushnaprasad in the district of Puri.



3. The dispute is with regard to performance of Dola festival and Pana Sankranti by the Opposite Party No.6, namely, Santosh Chandra Deo, who has been described as person in the Management of the Deity. Serious objection was raised by Mr. Dalai, learned counsel for the Petitioner representing the President of Shri Shri Kamaleswardev at *Panchatirish Mauza Pana Jatra Parichalana Committee* with regard to *locus standi* of Opposite Party No. 6 to perform the ensuing Dola festival and Pana Sankranti of the Deity.

3.1 It is also stated at the Bar that CRLMP No. 250 of 2026 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."

3.2 The CRLMP was taken up on 26th February 2026 by the assigned Bench, wherein the Tahasildar, Krushnaprasad submitted a written instruction. The said written instruction was produced by learned State Counsel. Relevant portion of the said written instruction as reproduced in order dated 26th February, 2026 passed in CRLMP No. 250 of 2026, is quoted hereunder.

"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 under (sic) 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 Commissioner 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)

3.3 It is submitted by Mr. Dalei, learned counsel for the Petitioner that without affording any opportunity to the Petitioner-Committee, the impugned order under Annexure-1 has been passed, which is administrative in nature.

4. Mr. Kanungo, Senior Advocate along with Mr. Acharya, learned counsel for Opposite Party No.6 vehemently objects to the same and submits that no one is restrained from participating the aforesaid two festivals, namely, ensuing Dola Purnima and Pana Sankranti of the Deity. Mr. Kanungo, learned Senior Advocate also submits that an application under Section 7 of the Odisha Hindu Religious Endowments Act, 1951 (for brevity, ‘the Act’) filed by the Petitioner is pending before learned Commissioner of Endowments, Odisha Bhubaneswar assailing the order under Annexure-1.

5. Mr. Mishra, learned ASC submit that hearing of the petition filed under Section 7 of the Act has already been concluded and the order is reserved due to pendency of the present writ petition. However, Miss Naidu, learned counsel submits that she has no definite instruction in respect of status of the application under Section 7 of the Act.

6. Upon hearing learned counsel for the parties, and on perusal of the record, this Court finds that the order under Annexure-1 passed by the Assistant Commissioner of Endowments, Bhubaneswar is purely administrative in nature. No document is available on record to test the sustainability of



the same. Moreover, an application under Section 7 of the Act has already been filed assailing the said order and the hearing of the petition is stated to have been completed.

7. In the above circumstances, we feel it proper to direct the learned Commissioner Endowments, Odisha, Bhubaneswar to pass an order forthwith and in any case not later than 28th February, 2026 on the petition filed by the Petitioner in respect of performance of ensuing Dola Purnima and Pana Sankranti festivals of the Deity for smooth performance of the ensuing Dola Purnima and Pana Sankranti festivals.

8. The writ petition is disposed of accordingly. Needless to mention that this Court has not made any observation in respect of CRLMP No.250 of 2026.

9. Miss Naidu, learned counsel shall communicate this order to the Commissioner of Endowments, Odisha, Bhubaneswar in course of the day.

10. A copy of this order shall be made available to Miss Naidu, learned counsel for Commission of Endowments, as well as Mr. Mishra, learned ASC for communication and compliance. Learned counsel for the parties may also utilize the downloaded copy of this order from the website of this Court for necessary communication and compliance.

(K.R. Mohapatra)
Judge

s.s.satapathy

(S.K. Mishra)
Judge