

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No. 19822 of 2023**

***Ramesh Chandra Prusty***

***....***

***Petitioner***

Mr. Srinivas Mohanty, Advocate

*-versus-*

***State of Odisha and others***

***....***

***Opposite Parties***

Mr. A.K. Sharma, AGA  
Ms. P. Naidu, Advocate

**CORAM:**

**JUSTICE ARINDAM SINHA  
JUSTICE SANJAY KUMAR MISHRA**

**ORDER**

**04.07.2023**

W.P.(C) no.19822 of 2023 and I.A.no.9352 of 2023

**Order No.**

**1.**

1. Mr. Mohanty, learned advocate appears on behalf of petitioner and submits, his client has been in possession of the land since long. The Commissioner passed order under section 19 in Odisha Hindu Religious Endowments Act, 1951 sanctioning the transfer to be made, fixing the price at Rs.70,00,000/- per acre. However, there has been direction in the order, impugned herein, for the land to be first offered to the Government. Hence, his client is before Court for interference.

2. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State and Ms. Naidu, learned advocate for the Commissioner. Ms. Naidu submits, the Additional Assistant Commissioner has been made party. She submits further, section 19-C mandates preemption right to the Government.

3. Petitioner will be heard on alienation of land of a religious institution as can be made to an occupier.

4. Mr. Mohanty has leave to add the Commissioner as a party by making the amendment in Court, to be counter signed by Court Master. Consolidated cause title be filed and circulated to appearing learned advocates.

5. List on 6<sup>th</sup> July, 2023. Status quo in respect of the alienation to be made be maintained till next date of hearing.

*(Arindam Sinha)*

*Judge*

*(S.K. Mishra)*

*Judge*

Signature Not Verified

Digitally Signed  
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Date: 04-Jul-2023 18:17:22

