



IN THE HIGH COURT OF ORISSA AT CUTTACK

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

Ramesh Chandra Pursty

....

Petitioner

Mr. S. Mohanty, Advocate

-versus-

State of Odisha & Others

....

Opp. Parties

Mr. T.K. Dash, AGA

For O.P. No.1

Ms. P. Naidu, Advocate

For O.P. Nos.2,4 & 5

Mr. B.S. Panigrahi, Advocate

For O.P. No.3

Ms. P. Bastia, Advocate

For the O.P. No.6 (Intervenor)

CORAM:

THE HON'BLE MR. JUSTICE B.P. ROUTRAY

THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER

06.05.2025

Order No.

- 04.
1. Heard learned counsels for the Parties.
 2. The grievance of the Petitioner against the impugned order of the Appellate Authority under Section 19 (4) of the OHRE Act (Annexure-4) is regarding the condition imposed in terms of Section 19-C of the said Act.
 3. The State Government in exercise of its appellate power while permitted sale of land of the deity in question has fixed the condition granting liberty to the State Government to purchase the said land at the first hand within the statutory



period prescribed under sub-Section 2 of Section 19-C of the Act. By such condition imposed by the Appellate Authority, the Petitioner is aggrieved with to approach this Court in present Writ Petition.

4. Section 19-C of the OHRE Act prescribes that notwithstanding anything contained in the Act, the trustee in the event of sanction is granted for sale of land of the deity, shall bound to offer the land first to the State Government for purchase for public purpose on payment of such amount not less than the amount fixed by the Commissioner. So in view of such statutory provision, the right of the State to get the land purchased at the first instance, cannot be waived out and the approach of the Petitioner against the same being found devoid of merit, the Writ Petition is dismissed.

(B.P. Routray)
Judge

(Chittaranjan Dash)
Judge

AK Pradhan/Bijay

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