



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22936 OF 2025

Krushna Chandra Panda

....

Petitioner

Ms. Sumitra Mohanty, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Siba Narayan Biswal,
Additional Standing Counsel

Ms. Pratyusha Naidu, Advocate
(for Commissioner of Endowments)

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAY KUMAR MISHRA

ORDER

07.05.2026

Order No.

06. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for the following relief:

“The petitioner therefore most humbly prays that this Hon'ble Court would graciously be pleased to admit this writ petition, call for the records and after hearing the parties, allow the same by issuing a writ / writs in the nature of certiorari / mandamus prohibiting the O.P. No. 1 and 5 from coming upon the tenanted premises and from exercising any right over the same and / or making any construction thereon till the same are acquired by following due process of law in the interest of justice ;

And pass any other or further direction as this Hon'ble Court may deem fit and proper;

And for which act of kindness, the petitioner as in duty bound shall ever pray. ”

3. A memo at Flag-30 supported by affidavit is filed by the Petitioner to withdraw the writ petition unconditionally.



4. Heard learned counsel for the parties. On perusal of the order-sheet, it appears that vide order dated 15th September, 2025 this Court at Paragraphs-3 and 4 observed as under:

“3. Mr. Mishra, learned Additional standing counsel and Ms. Naidu, learned counsel for the Commissioner of Endowments shall take instruction as to whether Plot No.803 to an extent of Ac.0.365 decimals, Plot No.804 to an extent of Ac.0.105 decimals, Plot No.805 to an extent of Ac.1.225 decimals, Plot No.789 to an extent of Ac.0.470 decimals, Plot No.794 to an extent of Ac.0.245 decimals, Plot No.797 to an extent of Ac.0.465 decimals, Plot No.798 to an extent of Ac.2.483 decimals and Plot No.802 to an extent of Ac.0.600 decimals to a total extent of Ac.5.958 decimals under Khata No. 69 in Mouza - Khallikote in the district of Ganjam has either been acquired or alienated for construction of CHC, Khallikote.

4. Put up this matter on 23rd September, 2025 indicating the name of Ms. Pratyusha Naidu, leaned counsel appearing for Commissioner of Endowments, Bhubaneswar, Odisha in the cause list.”

4. When the matter was taken up on 23rd September, 2025, Ms. Naidu, learned counsel for the Commissioner of Endowments submitted that an enquiry is being conducted as to how a Community Health Centre (CHC) is being constructed over deity's property without following due procedure of law. She also submitted that 7-8 days may be required to complete the enquiry. Accordingly, a matter was adjourned to be listed on 17th October, 2025. On the adjourned date, i.e., on 17th October, 2025. Ms. Naidu, learned counsel for the Commissioner of Endowments submitted that she is yet to receive the enquiry report of the Additional Assistant Commissioner of Endowments, Berhampur.



5. The land in question stands recorded in the name of the deity Sri Sri Balunkeswar Mahaprabhu Bije, Marfat Debottara Trust Board, Khallikote. Thus, while allowing the prayer for withdrawal of the writ petition as prayed for by the Petitioner, this Court directs the Commissioner of Endowments, Odisha, Bhubaneswar and Collector, Ganjam to look into the matter and protect interests of the deity.
6. The Registry shall communicate this order to the Collector Ganjam as well as the Commissioner of Endowments, Odisha, Bhubaneswar forthwith to do the needful at their end.
7. Writ petition is disposed of as withdrawn.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

Sashikant