



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 31305 of 2021

Binapani Samantray & Others ***Petitioners***

Mr. A. Mohanty, Sr. Advocate
with Sk. Zafarulla, Advocate

-versus-

***Commissioner of Endowments,
Bhubaneswar & Others***

Opp. Parties

Ms. P. Naidu, Advocate
For O.P. Nos.1 & 2

Mr. A.R. Dash, Advocate
For O.P. No.3

W.P.(C) No. 31949 of 2021

Sisir Kumar Panda & Others

Petitioners

Mr. A. Mohanty, Sr. Advocate
with Sk. Zafarulla, Advocate

-versus-

***Commissioner of Endowments,
Bhubaneswar & Others***

Opp. Parties

Ms. P. Naidu, Advocate
For O.P. Nos.1 & 2

Mr. A.R. Dash, Advocate
For O.P. No.3

W.P.(C) No.14140 of 2022

Premamanjari Das

Petitioner

Mr. A. Mohanty, Sr. Advocate
with Sk. Zafarulla, Advocate



-versus-

***Commissioner of Endowments,
Bhubaneswar & Others***

.... ***Opp. Parties***
Ms. P. Naidu, Advocate
For O.P. Nos.1 & 2

Mr. A.R. Dash, Advocate
For O.P. No.3 & 4

CORAM:
THE HON'BLE MR. JUSTICE B.P. ROUTRAY
THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

Order No.

ORDER
30.04.2025

17. 1. Heard learned counsel for the Parties.
2. In course of hearing, it is acceded by Mr. Mohanty, learned Sr. Advocate on behalf of the Petitioners that though the Petitioners have challenged the enhanced rent, but at present they confine their challenge to retrospective application of such enhanced rent prior to April 2021 and further regarding calculation of the floor area for the purpose of rent. In this regard order dated 11.07.2023 is referred to.
3. In all the above three Writ Petitions, there are 18 shop owners and it is submitted that out of 73 shop owners in total, 45 shop owners have already accepted the enhanced rent as per order dated 19.08.2021 of the Assistant Commissioner of Endowments. In terms of order dated 11.07.2023 of this Court, the shop owners those who have acquiesced enhanced rent in



terms of order dated 19.08.2021 of the Assistant Commissioner of Endowments, they cannot claim any benefit enured out of the present Writ Petitions.

4. Since one of the dispute is regarding measurement of area for the purpose of rent, we direct for fresh measurement of respective shops of present Petitioners by the Amin to be appointed by Rajadhani Puja Samittee, who shall measure the floor area with break-up of mezzanine floor and projection area and any other specification, if any.

The measurement report shall be produced by Mr. Dash, learned counsel for Opposite Party No.3 on the next date.

5. List on 13th May, 2025.

(B.P. Routray)
Judge

(Chittaranjan Dash)
Judge

AKPradhan

Signature Not Verified

Digitally Signed
Signed by: ANANTA KUMAR PRADHAN
Designation: Sr. Stenographer
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 30-Apr-2025 17:53:09

