



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)No.26641 of 2024

Kalinga Eye
Hospital,
Dhenkanal

.....

Petitioner

Mr. Dr. Binoda Ku. Mishra,
Advocate

-versus-

State of Odisha & Others

.....

Opposite Parties

Mr. Sonak Mishra, ASC

CORAM:

THE HON'BLE DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
01.05.2025

06. 1. This matter is taken up through hybrid arrangement.
2. The Petitioner, by filing this Writ Petition, has sought for a direction from this Court to the Opposite Parties to renew the Petitioner-Hospital's MoU under the Biju Swasthya Kalyan Yojana (BSKY) immediately. The Petitioner also challenges the action of the Opposite Parties in not issuing the Fire Safety Certificate although the Petitioner Hospital has applied for the same much before the expiry of the term of Fire Safety Certificate and complied all the formalities, as per the rules.
3. Learned counsel for the Petitioner submits that the Petitioner-Hospital named Kalinga Eye Hospital, Dhenkanal, specializing in eye care and surgeries, is a community based health care institution that has been



serving the people in and around Dhenkanal district since 2002. The Petitioner Hospital has valid statutory approvals and certifications, such as (a) Clinical Registration Certificate, valid until 20th August, 2027, (b) Authorization from the State Pollution Control Board, valid until 31st March, 2025, (c) Trade License, valid until August 2025, and (d) NABH accreditation, valid until 4th October, 2026. It is further submitted that the Petitioner- Hospital was also the first in the district to obtain a Fire Safety Certificate (Form-V) on May, 2019. The last certificate was valid till 9th May, 2023. In the meantime, the Petitioner has constructed two additional floors of the building and applied for the renewal of the Fire Safety Certificate on 26th April, 2023 under application number FSC13051500120230000022. It has been providing exemplary health care services to the people, particularly the underprivileged sections of the society. The Petitioner Hospital & CHC has been providing Eye Care Services under BSKY Scheme of the Government of Odisha since its MOU with State Health Assurance Society (SHAS) from November, 2023.

4. At this stage, learned counsel for the Petitioner draws attention of this Court to the Notification dated 17th March, 2025 issued by the Home Department, Government of Odisha and prays that direction may be issued to the Opposite Parties No.2/ State Health



Assurance Society, Bhubaneswar for renewal of the Petitioner-Hospital's MoU. He further prays for a direction to the concerned Fire Officer to issue Fire Safety Certificate.

5. Perused the records and the Notification dated 17th March, 2025 issued by the Home Department, Government of Odisha.

6. Considering the submission of the learned Counsel for the Petitioner and on going through the averments made in this Writ Petition and the substances of the Notification dated 17th March, 2025 issued by the Home Department, Government of Odisha, this Court is of the view that the Petitioner's application for renewal of the Fire Safety Certificate should be considered and the Fire Safety Certificate should be renewed, if the Petitioner fulfils the other conditions prescribed thereunder. Further, since the application of the Petitioner-Hospital is pending which is admitted by the Opposite Parties in their counter affidavit, hence, the Petitioner is not required to file any fresh application for Fire Safety Certificate anymore.

7. In such view of the matter, without going into the merits of the case, this Writ Petition is disposed of directing the Opposite Party No.2/ State Health Assurance



Society, Bhubaneswar, Dist.- Khurda, Odisha to consider the application for renewal of the Petitioner-Hospital's MoU and for providing Fire Safety Certificate to the Petitioner-Hospital by the concerned Fire Officer within a reasonable time.

8. No coercive action shall be taken against the Petitioner-Hospital till disposal of the aforesaid application of the Petitioner.

9. Accordingly, this Writ Petition is disposed of.

(Dr. S.K. Panigrahi)
Judge

Narayan

Signature Not Verified

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Reason: Authentication
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