



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34353 of 2025

*Tara @ Taramani Parhi* ..... *Petitioner(s)*  
*& Anr.* *Mr. Suresh Kumar Choudhury,*  
*Advocate*

-versus-

*The Secretary, General* *Opposite Party (s)*  
*Administration (GA)* *Mr. Rajdeep Pradhan, ASC*  
*Department & Ors.* *Mr. Soubhagya Ku. Rath,*  
*Advocate for O.P No.5*

**CORAM:**

**THE HON'BLE DR. JUSTICE SANJEEB K PANIGRAHI**

**ORDER**

**11.12.2025**

**I.A. No.22256 of 2025**

**Order No.**

02. 1. This matter is taken up through hybrid arrangement.
2. This I.A. has been filed by the Opposite Party No.5 for recalling of the order No.2 dated 03.12.2025 passed by this Court in W.P.(C) No.34353 of 2025.
3. Learned counsel for the Opposite Party No.5 submits that order of eviction was passed by the learned Asst. Commissioner of Endowments, Bhubaneswar on 24.10.2025, which was challenged by the Petitioners in W.P.(C) No.34353 of 2025. This Court vide order dated 21.11.2025 disposed of the said Writ Petition. However, the Petitioners have suppressed the fact that the present deponent/ Opposite Party No.5 functioning as the



Managing Trustee of the Public Religious institution Sri Sri Biswanath Mahadev Temple had filed an application bearing O.A. No.27 of 2014 under Section 68 of the OHRE Act, 1951 before the learned Assistant Commissioner of Endowments, Bhubaneswar against one Durjyodhan Padhi, who was engaged as Pujak. However, though the said Pujak was disengaged vide letter dated 16.09.2013 but remains in possession of the temple rooms, therefore, a proceeding under Section 68 OHRE Act, 1951 was initiated.

4. Considering the submissions made by the learned counsel for the Opposite Party No.5, the prayer made in this I.A is allowed. The order dated 03.12.2025 passed by this Court in W.P.(C) No.34353 of 2025 is hereby recalled.

**W.P.(C) No.34353 of 2025**

5. Heard.

6. Since a lot of wrong facts have been submitted by the Writ Petitioner at the time of hearing of the case, the said facts came to the notice of this Court when the aforesaid I.A. filed by the Opposite Party No.5 **and 6.** Since the property belongs to the index deity, the matter should have been heard by the competent Bench instead of this Bench. The matter was wrongly listed before this Court and this Court had passed such order dated



03.12.2025 with an impression that this is an eviction by the G.A. Department. However, after hearing the applicant in the I.A., this Court discovers that the matter was already dealt and disposed of in Writ Petition(Civil) No.31975 of 2025 by the Division Bench of this Court dated 21.11.2025. However, this fact has also not been brought to the notice of this Court which is an act of suppression. Because of such suppression, this Court led to pass the order dated 03.12.2025.

7. Accordingly, the Writ Petition stands dismissed. Since the Petitioner has suppressed the facts, this Court is inclined to impose cost of Rs.5000/- on the Petitioner. The said cost shall be deposited with the Orissa High Court Bar Association Welfare Funds within a week.

*(Dr. Sanjeeb K Panigrahi)*  
*Judge*