

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 16094 of 2006

Aswini Kumar Mohanty and Others

Petitioners
....
Mr. P.K. Rath, Advocate

-versus-

Commissioner of Endowments

Opposite Parties
....

Mr. G.D. Kar, Advocate
Mr. Debakanta Mohanty, Addl. Govt. Advocate

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K. PATTANAIK**

Order No.

**ORDER
08.03.2022**

10. 1. The challenge in the present petition is to an order dated 23rd June, 2006 passed by the Commissioner of Endowments appointing five persons as non-hereditary members of the Board of Trustees under Section 27 of the Odisha Hindu Religious Endowments Act. Since that period of two years is already over, the cause of action as far as the present petition is concerned, does not survive.
2. Mr. Rath, learned counsel for the Petitioner states that the Petitioners want to move before the Commissioner of Endowments since according to them, the cause of action still survives.
3. In that view of the matter, while disposing of the present petition, the Petitioners' are permitted to approach the

Commissioner of Endowments with their grievance as permissible in law. The Court clarified that it has not expressed any opinion on the submissions of the Petitioner.

4. The writ petition is disposed of in the above terms.

5. In view of the above order, the contempt proceedings initiated in CONTC Nos.1432 of 2007 and 794 of 2010 is dropped.

6. An urgent certified copy of this order be issued as per rules.

S.K. Jena/P.A.



(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge