

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6307 of 2014

***Ekalavya Career Academy
Trust***

.... Petitioner

Mr. Siba Narayan Biswal, Proxy Counsel
on behalf of Mr. Ramakanta Mohanty, Senior Advocate

-versus-

***Chief Administrator, Shree
Jagannath Temple Office,
Puri and Others***

.... Opp. Parties

Mr. Subrat Satpathy, Advocate
for Shree Jagannath Temple, Puri

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN**

**ORDER (Oral)
07.07.2022**

Order No.

- 07.** 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Petitioner-Trust is stated to have availed a loan of Rs.10 crores from United Bank of India, Rourkela Branch, District-Sundergarh for raising construction of an Engineering College. Due to non-payment of the installments, the Bank initiated the process of recovery under the SARFAESI Act, 2002.
3. By filing the present Writ Petition, the petitioner has prayed for a direction to Shree Jagannath Temple for issuance of No Objection Certificate for sale of the lands allegedly purchased by the petitioner in order

to pay the outstanding dues of the Bank. It is apparent that Lord Jagannath Temple has not been impleaded as a party as per the provision of the Jagannath Temple Act, 1954. Thus, it is not understandable as to how the present Writ Petition would be maintainable against the actual owner i.e. the deity and also for the nature of relief claimed, moreso in view of Memo No.683 dated 19.01.13 (A-3) with the Writ Petition.

4. At the time of hearing, learned counsel for the petitioner states that the present Writ Petition has become infructuous.

5. In view of the above, the Writ Petition is dismissed as infructuous.

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

AKK

07th July, 2022
Cuttack