

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.160 Of 2022
(Through video conferencing mode)

Niranjan Bhatta

...

Petitioner

Mr. S.Ch. Mekap, Advocate

-versus-

***Addl.D.C.P-Cum-Executive
Magistrate and others***

...

Opposite Parties

Mr.P.C. Panda, AGA

CORAM: JUSTICE ARINDAM SINHA

ORDER
03.02.2022

Order No.

01. 1. Mr. Mekap, learned advocate appears on behalf of petitioner and submits, his client is sought to be removed as head priest of the Sani Temple. He approached the DCP-Cum-Executive Magistrate Bhubaneswar but by impugned order dated 8th September 2021 the Magistrate redirected his client to competent Court/forum. He submits, the Magistrate ought to have adjudicated the question. He relies on judgment of the Supreme Court in **Gulam Abbas vs. State Of U.P.** reported in **AIR 1981 SC 2198**, paragraph 7.

2. Impugned order requires no interference. The Supreme Court in **Gulam Abbas** (supra) also said in paragraph 7 that petitioners before it had already got adjudication, determination and declaration in

their favour by decision of competent civil Courts in earlier litigations. Petitioner must approach competent Court/forum regarding his claim for continuing to be head priest.

3. Mr. Panda learned advocate, Additional Government Advocate appears on behalf of State and has not been called upon to submit.

4. The writ petition is disposed of as above.

(Arindam Sinha)
Judge

Prasant

