

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No. 1342 of 2021

Sarat Chandra Dehury

....

Petitioner

Mr. Partha Sarathi Das, Advocate

-versus-

***Debasish Bisoi, Additional
Assistant Commissioner of
Endowments, Sambalpur & Others***

....

Opposite Parties

Ms. Pratyusha Naidu, Advocate

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
08.09.2022

Order No.

- 07.**
- 1.** This matter is taken up by virtual/physical mode.
 - 2.** The Petitioner filed W.P.(C) No. 32814 of 2020 seeking for a direction to the Additional Assistant Commissioner of Endowments, Sambalpur to disburse the financial assistance to the Petitioner admissible during the Pandemic Covid-19 Period, being the only Sevayat of the afternoon Seva Puja of Maa Tarini Thakurani, Ghatagaon, Keonjhar on the parity of treatment of nine other Sevayats of morning time performing similar Puja. In the alternative, the prayer was for direction to dispose of the representation of the Petitioner dated 4th November, 2020 made in the aforesaid regard.
 - 3.** This Court vide order dated 7th December, 2020, disposed of the aforesaid writ petition with a direction to the Additional Assistant Commissioner of Endowments, Sambalpur to decide the said representation dated 4th November, 2020 as expeditiously as

possible. Since the said claim has not been decided, the present contempt has been filed.

4. Upon notice, an affidavit dated 6th July, 2021 of Sri Sanjeeb Kumar Mohapatra, Executive Officer (E.O), Maa Tarini Thakurani Temple Trust, Ghatagaon, Keonjhar has been filed, wherein in Para 10 it is asserted that upon enquiry it has been found that the Petitioner- Sarat Chandra Dehury is not the only recorded Pujak of the evening shift but there are other Pujaks as well performing Seva Puja regularly. In its support, the copy of the entire report dated 7th December, 2020 of the Inspector of Endowments, Keonjhar has been annexed at Annexure-F/6 with the said affidavit.

5. A perusal of the Annexure-F/6 further reveals that there is already an O.A. No. 2 of 2001 under Section 41 of the Odisha Hindu Religious Endowments Act, 1951.

6. Ms. Pratyusha Naidu, Counsel for the Opposite Parties states that the Trust has found that the Petitioner is entitled to the payment of @ Rs.1,500 per day for the periods he has performed the Puja. However, he is not coming forward to receive the same as he claims that he is entitle to Rs.3,000/- per day being the only Sevayat.

7. After hearing counsel for the Petitioner and going through their pleadings with their assistance, we find that the Petitioner is free to accept whatever the Trust is offering him with liberty to pursue his remedy in respect of the remaining amount as claimed before the appropriate authority under Section 41(1)(e) of Odisha Hindu Religious Endowments Act, 1951.

8. In view of the above, the contempt petition is disposed of.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Laxmikant

September 08, 2022 Cuttack

