

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13603 of 2022

Sisir Kumar Jena

....

Petitioner

*Mr. N. Lenka,
Advocate*

-versus-

***Commissioner of
Endowments, Odisha &
others***

....

Opp. Parties

*Ms. P. Naidu,
Advocate*

**CORAM:
JUSTICE BISWAJIT MOHANTY
MISS JUSTICE SAVITRI RATHO**

ORDER

18.07.2022

Order No.

- 03.
1. Heard Mr. N. Lenka, learned counsel for the petitioner and Ms. P. Naidu, learned counsel for the opposite parties.
 2. On oral prayer, Mr. Lenka is permitted to implead the Assistant Commissioner of Endowment, Cuttack as opposite party No.3 in the cause title in Court today.
 3. According to Mr. Lenka, the petitioner is aggrieved by the non-constitution of non-hereditary trust board to look after the management of Lord Sani Bije at Ward No.3 of Baripada Town in the district of Mayurbhanj though the tenure of earlier trust board has expired in 2015. He submits that thereafter no step has been taken by the Assistant Commissioner for constitution of fresh non-hereditary trust board.
 4. On instruction, Ms. Naidu submits that already the process has been initiated to constitute non-hereditary trust board relating to the above noted deity and on the question of

interim arrangement, she submits that such an arrangement can be made by the Commissioner of Endowments, Odisha under Section 7 of the Odisha Hindu Religious Endowments Act, 1951, if he is so directed.

5. Considering the submissions made, this Court directs the Commissioner of Endowments, Odisha to take immediate steps in accordance with law for making an interim arrangement for management of the above noted deity within a period of three weeks from the date of receipt of a copy of this order and further directs the Assistant Commissioner of Endowment, Cuttack (opposite party No.3) that on completion of process as initiated by him for the purpose of constitution of Non-Hereditary Trust Board, he should submit the said report to the State Government forthwith for finalisation of the process.

6. Accordingly, this writ petition is disposed of.

7. Urgent certified copy of this order be granted on proper application in course of the day.

8. A free copy of this order be handed over to Ms. P. Naidu, learned counsel for opposite parties for onward transmission and compliance.

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge

Prasant