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Signed by: MADHUSMITA SAHOO
Designation: SENIOR STENOGRAPHER
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 07-Apr-2026 12:11:37

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 24163 OF 2025

Tofan Bhoi .... ***Petitioner***

Mr. Suryasnath Mohapatra, Advocate

-versus-

Collector, Puri and others .... ***Opp. Parties***

Mr. Bibekananda Nayak,
Additional Government Advocate
(For Opp. Party No.1)

Mr. Lalit Kumar Maharana, Advocate
(For Commissioner of Endowments)

CORAM:
JUSTICE K.R. MOHAPATRA
JUSTICE SANJAY KUMAR MISHRA

ORDER

Order No. **06.04.2026**

5. 1. This matter is taken up through hybrid mode.

2. Pursuant to the direction of this Court dated 10th March, 2026, Mr. Dibya Jyoti Parida, the Collector and District Magistrate, Puri is present in Court.

2.1. He begged for unconditional apology for not imparting instruction to the office of the Advocate General in spite of repeated directions of this Court. He also submitted that disciplinary proceedings have been initiated against the Officer(s), for not responding to the communications from the office of the Advocate General to assist the Court for adjudication of the writ petition.

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3. Accepting the unconditional apology tendered by Mr. Parida, the Collector and District Magistrate, Puri, his personal appearance is dispensed with.

4. This writ petition has been filed alleging inaction on the part of the Collector and District Magistrate, Puri in complying with the requisitions made by learned Commissioner of Endowments, Odisha, Bhubaneswar dated 18th July, 2011 and 4th February, 2025 pursuant to the order passed in O.A. No.51 of 2007 in a proceeding under Section 25 of the Odisha Hindu Religious Endowments Act, 1951 (for brevity 'the OHRE Act').

5. Mr. Mohapatra, learned counsel submits that the Petitioner is a Hindu public of Village Salajanga. A proceeding under Section 25 of the OHRE Act in O.A. No.51 of 2007 was initiated by the then Managing Trustee of the Deity, namely, Shree Saleswar Deb, Bije Salajanga in the district of Puri. Considering the grievance of the then Managing Trustee of the Deity, learned Commissioner of Endowments, vide order dated 18th July, 2011, directed eviction of the unauthorized occupants, namely, Opposite Party Nos.3 and 4. A requisition was also made to the Collector and District Magistrate, Puri pursuant to the said order. But, it was not given effect to.

5.1. Due to inaction on the part of the Collector and District Magistrate, Puri in implementing the order passed in O.A. No.51 of 2007, the Petitioner approached this Court in W.P.(C) No.5210 of 2024, which was disposed of vide order dated 4th April, 2024, with a liberty to the Petitioner to approach learned Commissioner of Endowments for redressal of his grievance in seeking

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appropriate relief. Accordingly, the Petitioner filed an application before learned Commissioner of Endowments to issue fresh requisition to the Collector and District Magistrate, Puri for delivery of possession of the land of the Deity.

5.2. Considering the said application, learned Commissioner of Endowments vide his Order No.1118/J.E.C. dated 4th February, 2025 (Annexure-5), issued a fresh requisition to the Collector, Puri for implementation of the order passed in O.A. No.51 of 2007. In spite of the issuance of fresh requisition, the Collector, Puri did not take any action on the same, for which this writ petition has been filed.

6. This Court, upon hearing learned counsel for the parties vide order dated 24th December, 2025, directed learned State Counsel, to take instruction from the Collector and District Magistrate, Puri with regard to the steps taken pursuant to the requisition made by learned Commissioner of Endowments on 4th February, 2025. In spite of repeated directions, the Collector, Puri did not impart any instruction to the office of the Advocate General, for which this Court, vide order dated 10th March, 2026 directed personal appearance of the Collector, Puri.

7. In course of hearing, Mr. Mohapatra, learned counsel for the Petitioner submits that in the meantime, the Collector and District Magistrate, Puri took steps pursuant to the requisition dated 4th February, 2025 (Annexure-5) and issued note of delivery of possession. He, therefore, submits that no further order is required to be passed in this case.

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8. Since the relief sought for in this writ petition has already been granted, no further order is required to be passed in this writ petition.

9. Hence, the writ petition is disposed of as infructuous.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

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