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Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 27-Oct-2026 17:30:11

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32824 of 2026

[CNR No.ODHC010769392026]

Shanti Pujan Das …. ***Petitioner(s)***

Mr. Sukanta Kumar Mishra, Adv.

-versus-

State of Odisha & Ors. …. ***Opposite Party(s)***

Mr. Satyabrata Mohanty, AGA
Mr. Bipin Kumar Nayak, Adv.
(for Commissioner of Endowments)

CORAM:
HON'BLE DR. JUSTICE SANJEEB K PANIGRAHI
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER
27.10.2026

Order No.
01.

1. This matter is taken up through Hybrid Arrangement (video conferencing/physical mode).

2. By filing the present Writ Petition, the Petitioner, Shanti Pujan Das, has sought for a direction from this Court to the Commissioner of Endowments, Odisha, Bhubaneswar (Opposite Party No. 4) to index the property of the Deity, Sri Bhagabat Gosain Bije, Jajpur, as a Hindu public religious institution, in the interest of the Deity and for safeguarding the property of the institution.

3. Learned counsel for the Petitioner submits that he is the successor of the late Sebayat, Krushna Chandra Das and has been worshipping Sri Bhagabat Gosain in the village Arual,

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Jajpur district, for the last 40 years, discharging the duties of Sebayat after the death of his predecessor.

4. It is further submitted that the villagers of Arual discovered that the landed property of the Deity was illegally recorded in the name of one Gagan Bihari Mohapatra and others. Upon learning of this, the villagers filed their objection before the Collector, Jajpur, bringing to notice the fraudulent act. The matter was ultimately resolved by Opposite Party No. 5.

5. Basing upon complaints from the villagers, the Inspector of Endowments, Kendrapara (in charge of Jajpur), after verification, submitted a report before Opposite Party No.5, requesting a direction to the Tahasildar, Bari, to correct the Record of Rights (RoR) in the name of the Deity by letter dated 15.11.2022.

6. Opposite Party No.5, by order dated 31.10.2022, declared that though the Deity Sri Bhagabat Gosain is yet to be indexed, it is a settled principle that all temples and mathas come under the purview of the Orissa Hindu Religious Endowments Act, 1951, unless otherwise declared by a competent court. All such properties are deemed to be religious endowment properties. Further, by order dated 09.10.2022, Opposite Party No. 5 directed the Tahasildar, Bari (Opposite Party No.3), to take necessary steps for recording

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the lands in favour of the Deity through the Commissioner of Endowments, Odisha, Bhubaneswar.

7. In pursuance of the above, Opposite Party No.3 made necessary corrections in the RoR and recorded the property in the name of Sri Bhagabat Gosain.

8. The Commissioner of Endowments, Odisha, Bhubaneswar, by letter dated 23.08.2023, directed Opposite Party No.5 to obtain the views of the Sebayat Sri Krushna Chandra Das or his successors, if available, regarding the matter for further action and for indexing the institution, Sri Bhagabat Gosain, Arual.

9. Opposite Party No.5, by letter dated 07.02.2024, submitted before Opposite Party No.4 that the present Petitioner, as the successor of Sebayat Krushna Chandra Das, has filed a representation for indexing the institution and forwarded the same with a request to index the Deity as a Hindu religious institution without any hereditary trustee (H.T.) in the interest of the Deity and for safeguarding the property.

10. It is submitted that although the proposal was submitted by Opposite Party No.5 on 07.02.2024, no action has yet been taken by Opposite Party No.4 to index the Deity as a Hindu public religious institution. Accordingly, a direction is sought to the Commissioner of Endowments, Odisha, Bhubaneswar

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(Opposite Party No.4) to index Sri Bhagabat Gosain, Arual, to safeguard the property of the institution.

11. Learned counsel for the State as well as learned counsel for the Commissioner of Endowments submit that they have no objection to the prayer made by the Petitioner.

12. In view of the facts and circumstances of the case and there being no objection from the State or the Commissioner of Endowments, the present Writ Petition is disposed of with a direction to the Commissioner of Endowments, Odisha, Bhubaneswar (Opposite Party No.4) to take necessary steps for indexing the Deity, Sri Bhagabat Gosain Bije, Arual, as a Hindu public religious institution at the earliest, preferably, within a period of two months from the date of presentation of the certified copy of this order in accordance with law, in the interest of the Deity and to safeguard the property of the institution.

13. Issue urgent certified copy of this order as per Rules.

(Dr. Sanjeeb K Panigrahi)
Judge

(Murahari Sri Raman)
Judge

Sipun