

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (PIL)No.3979 of 2015

E. Venkat Rao ***Petitioner***
Mr. A. K. Budhia, Advocate, Amicus Curiae
-versus-

State of Odisha and Others ***Opp. Parties***
Ms. S. Pattnaik, AGA

**CORAM:
THE CHIEF JUSTICE
JUSTICE SAVITRI RATHO**

Order No.

ORDER
31.05.2021

41. 1. The matter is taken up by video conferencing mode, in the Vacation Court.
2. It was directed in the earlier order dated 16th March, 2021 that the C.M.C. has to file up-to-date status report in the form or an affidavit on the question of compliance for the orders dated 2nd December, 2019 and 23rd December, 2019 passed by this Court. The order dated 23rd December, 2019 acknowledges the fact that subsequent to the guidelines issued by this Court in its order dated 9th November 2016, the 'Regulations' have been amended. The said order dated 23rd December 2019 makes it clear that the Mandaps which are not complying with the Regulations, will not be allowed to operate with effect from 1st January, 2020. Thereafter a few conditions have been incorporated in the said

order permitting only those functions for which the bookings were already made i.e. prior to the above date.

3. The affidavit dated 19th April, 2021 filed by Mr. Abhisek Singh, Secretary of Kalayan Mandap Association, Cuttack City claims that temporary licenses by way of renewal have been issued to 74 Mandaps by the police. The question that arises is whether such renewal is contrary to the amended Regulations?

4. A direction is issued to the C.M.C. to conduct an inspection of the premises of each of the 74 Mandaps as set out in the enclosure to the affidavit of Mr. Abhisek Singh and examine if such Mandaps are in compliance with the amended Regulations as mandated by this Court's order dated 23rd December, 2019. In particular the CMC will ascertain whether the registers maintained by such Mandaps reflect any bookings made after the cut off date of 23rd December, 2019

5. The report of such inspection in respect of the 74 Mandaps will be placed on record before this Court by the next date along with the affidavit of the CMC. Copies of the said affidavit be served on learned counsel for other parties. It is made clear that corrective action will be taken by the CMC if it needs to do so, even without waiting for further orders of this Court.

6. List on 18th August, 2021.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in

the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No. 4798, dated 15th April, 2021.

(Dr. S. Muralidhar)
Chief Justice

(Savitri Ratho)
Judge

