

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) Nos.18312, 18314, 17964, 18043, 18056 and 18061 of 2021

W.P.(C) No.18312 of 2021 ***Petitioner***
Ratha Yatra Committee, Bhatli

Mr. Amit Prasad Bose, Advocate

W.P.(C) No.18314 of 2021 ***Petitioners***
Kshutosh Kumar Singh and Others

Mr. Amit Prasad Bose, Advocate

W.P.(C) No.17964 of 2021 ***Petitioners***
Madan Patri and Others

Mr. Prafulla Chandra Biswal, Advocate

W.P.(C) No.18043 of 2021 ***Petitioners***
Ranjan Kumar Suar and Others

Mr. Akshaya Kumar Pandey, Advocate

W.P.(C) No.18056 of 2021 ***Petitioners***
Babaji Charan Patri and Others

Mr. Amit Prasad Bose, Advocate

W.P.(C) No.18061 of 2021 ***Petitioners***
Biswo Go Surakhya Bahinee and Others

Mr. Suresh Kumar Panda, Advocate

-versus-

Government of Odisha and Others ***Opposite Parties***

Mr. D.K. Mohanty

Additional Government Advocate

CORAM:
THE CHIEF JUSTICE
JUSTICE S.K. PANIGRAHI

Order No.

ORDER
23.06.2021

02. 1. These matters are taken up by video conferencing mode.
2. A common challenge in all these writ petitions is to the order dated 10th June, 2021 issued by the Office of Special Relief

Commissioner (SRC), Government of Odisha whereby in acknowledgment of the State of Odisha still being in the grip of the second wave of the Covid-19 pandemic, it has *inter alia* been directed that "*Ratha Yatra/Car festival shall be conducted this year in Badadanda of Lord Jagannath Bije Puri and nowhere else in the State in the same manner as was done last year.*" In particular, it has been ordered that "*No chariots shall be pulled in places/temples in the State of Odisha except Car festival/Ratha Yatra of Lord Jagannath Bije Puri*".

3. As regards rest of the temples other than the Lord Jagannath Temple at Puri, the said order directs that "*only rituals may be performed inside the temple premises*".

4. In all these petitions on behalf of the devotees and the sevayats of the deities in different locations of the State of Odisha the grievance raised is that they too should have been permitted to conduct the respective Car festivals on the ground that the rate of COVID-19 surge in those locations is far less than it is at Puri.

5. This Court would not like to sit in appeal over the decision of the Government of Odisha as expressed in the aforementioned order dated 10th June 2021 of the SRC in so far as the special instructions in respect of the Rath Yatra/Car festival to be held in Puri is concerned. The temple of Lord Jagannath at Puri constitutes a class apart and has been implicitly recognized as such by the order dated 22nd June, 2020 of the Supreme Court of

India in Writ Petition (Civil) No.571 of 2020 (***Odisha Bikash Parishad v. Union of India***) whereby specific directions were issued in relation to the holding of the Ratha Yatra in Puri in 2020, when the first wave of the Covid-19 was still on.

6. Mr. Mohanty, learned Additional Government Advocate appearing on advance notice on behalf of the Opposite Parties (State) informs this Court that the impugned order dated 10th June, 2021 has been issued keeping in view the above directions of the Supreme Court.

7. These are extraordinary times in which not just Odisha but the entire country is barely recovering from the second wave of the deadly Covid pandemic. The measures and precautions taken by the State of Odisha have to be viewed in the said context. Consequently, this Court is not inclined to entertain any of the prayers in any of the above writ petitions, praying for permission to hold their respective Rath yatras/festivals on parity with the temple of Lord Jagannath at Puri.

8. The writ petitions are accordingly dismissed.

9. 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

(S.K. Panigrahi)
Judge

S.K. Jena/P.A.

