



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28270 of 2025

CNR No. ODHC010692852025

***The Business Head, The
Bisra Stone Lime
Company Limited,
Birmitrapur***

....

Petitioner

Mr. A. Jha, Advocate

-versus-

***The Appellate Authority
under Payment of
Gratuity Act, 1972-cum-
DY, Chief Labour
Commsinr, BBSR & Ors.***

....

Opposite Parties

Mr. A.K. Roy, Adv. for O.P.1 &

2

Mr. S. Sarangi, Adv. for O.P.3

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

18.08.2026

Order No.

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
- 2.** Heard learned counsel appearing for the Parties.
- 3.** The present Writ Petition has been filed *inter alia* with the following prayer:-

“It is therefore prayed that, your Lordship may graciously be pleased to pass the following orders:-

(1) Admit the writ application; call for the LCR and after hearing on merit set-aside the orders under Annexure-1 & 2 passed by O.P No.1 & O.P No.2 respectively.

(ii) The interest awarded under the impugned orders needed to be waived off or in the event the Lordship feels to hold the orders under Annexure-1 & 2 modify



the same by reducing the payable interest to the O.P No.3 @ 6% as per judgements of Apex court and High courts

and

(iii) further be pleased to order the O.P no.3 to pay the house rent and electrical charges of Rs.238000/- (Rupees two lakh thirty eight thousand) only with interest as per the order of Estate court, Birmitrapur, which remains on challenged by the O.P No.3 OR in alternate allow this petitioner to adjust with the payable interest to the O.P @ 6% P.A.

And any other relief / reliefs your Lordship pleases in the interest of justice in favour of petitioner may be passed.

And for this act of your kindness the petitioner shall ever pray”.

4. Learned counsel appearing for the Petitioner contended that without proper appreciation of the stand taken by the Petitioner, the Controlling Authority under the payment of Gratuity Act held the Opposite Party No.3 entitled to get a sum of Rs.1,86,474.46/- towards gratuity along with interest @ 10 % per annum for the period from 31.08.2013 till the date of payment of the gratuity.

4.1. It is contended that while preferring the appeal the gratuity amount so assessed at Rs.1,86,474.46/- was deposited before Opposite Party No.1. But Opposite Party No.1 without proper appreciation rejected the appeal vide order dtd.13.11.2024 under Annexure-1.

4.2. It is however contended that award of interest @ 10% per annum being on the higher side, the present



Writ Petition was filed challenging the award. Not only that gratuity amount so deposited before Opposite Party No.1 in the meantime has already been released in favour of Opposite Party No.3.

4.3. It is also fairly contended that Petitioner will have no objection to pay interest @ 6% per annum for the period from 31.08.2013 to till the date of payment.

5. Learned counsel appearing for Opposite Party No.3 has no serious objection to the course of action proposed by the learned counsel appearing for the Petitioner.

It is also fairly admitted that the gratuity amount so determined and deposited before Opposite Party No.1 has been released in favour of Opposite Party No.3 by Opposite Party No.1.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court while interfering with the order passed under Annexures-1 and 2 and disposing the Writ Petition directs the Petitioner to deposit the interest @ 6 % per annum on the gratuity amount of Rs.1,86,474.46/- for the period from 31.08.2013 till the date of deposit before Opposite Party No.1. On such deposit of the amount towards interest, Opposite Party No.1 is directed to release the same in favour of the Opposite Party No.3. Petitioner is directed to deposit the interest @ 6% per



annum for the aforesaid period before Opposite Party No.1 within a period of two (2) months from the date of receipt of this order.

7. Accordingly, the Writ petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat

Signature Not Verified

Digitally Signed
Signed by: SUBRAT KUMAR BARIK
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 20-Aug-2026 17:52:41

