

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 38 of 2022

Pitambar Rout

....

Petitioner

Mr. B.R. Barik, Adv.

-Versus -

***Managing Director, OLIC Ltd.
and others***

Opposite Parties

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

01.02.2022

**Order No.
01**

This matter is taken up through video conferencing mode.

2. The petitioner has filed this writ petition claiming for gratuity amount taking into consideration the NMR period which he rendered service for the institution itself. The same having not been extended, the petitioner has approached this Court by filing the present writ petition.

3. Mr. B.R. Barik, learned counsel for the petitioner contended that the petitioner, who was working as a junior typist in the office of the Executive Engineer, Lift Irrigation Division, Kendrapara, retired from service on 31.03.2021 on attaining the age of superannuation. After his superannuation, though he is entitled to the gratuity amount taking into consideration the NMR period which he rendered service for the institution, the same has not been paid to him. Therefore, the petitioner has approached this Court by filing the present writ petition. It is contended that though similarly situated

employees have been extended with such benefit vide Annexure-6 and 7, the petitioner has been discriminated.

4. Having heard learned counsel for the petitioner and after going through the records, this writ petition stands disposed of permitting the petitioner to file a fresh representation before the opposite party no.1 within two weeks hence incorporating all the documents which have been placed on record claiming the benefits, as have been raised in the present writ petition. If such representation is filed, opposite party no.1 shall consider the same and pass appropriate order taking into consideration the orders dated 17.04.2019 and 02.12.2020 under Annexures-6 and 7 respectively, in accordance with law within a period of three months from the date of filing of such representation along with the certified/authenticated copy of this order.

As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out 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, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

Ashok

(Dr. B.R. Sarangi)
Judge