

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8134 of 2022

Dwipayan Pattanaik

....

Petitioner

Ms. Saswati Mohapatra, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. T.K. Pattanaik, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.11.2022

Order No.

04.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner as well as learned counsel for the State. Perused the record.
3. The present writ petition has been filed by the petitioner with a short prayer to give a direction to the authority to disburse the gratuity amount to the petitioner along with interest @ 18% within a stipulated period of time.
4. It is submitted by learned counsel for the petitioner that although the petitioner has retired from service on attaining the age of superannuation with effect from 30th of April, 2020, he has not paid pension and other pensionary benefits as due and admissible to him. She further submits that although the petitioner has approached the authority on several occasions, nothing has been paid to him as of now.
5. Learned counsel for the State, on the other hand, submits that on consideration of submission, due to some approval required on detention period as has been held and there is no legal impediment for disbursement of gratuity of the petitioner.

6. Considering the submissions made by the respective parties, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Party Nos.2 and 3 to sanction and disburse the gratuity amount as due and admissible to the petitioner in accordance with law within a period of four weeks from the date of production of certified copy of this order, failing which the Opposite Parties shall be liable to pay interest @ 18% per annum, if there is no legal impediment and as has been directed by Hon'ble Supreme Court in the case of ***D.D. Tewari (D) through L.Rs. vs. Uttar Haryana Bijli Vitran Nigam Ltd.***, reported in ***2015 (1) OLR (SC)-81***.

7. With the aforesaid observation/direction, the writ petition is disposed of.

Urgent certified copy of this order be granted on proper application.

संयोजक न्यायो (***A.K. Mohapatra***)
Judge