

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10629 of 2022

Abani Chandra Das

....

Petitioner

Mr. Nirmal Chandra Das, Advocate

-versus-

***Managing Director, Orissa
Construction Corporation Ltd.,
Bhubanewar***

....

Opposite Party

Mr. P.C.Das, ASC for State

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
02.05.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard Mr.N.C. Das, learned counsel for the Petitioner and Mr. P.C.Das, learned Additional Standing Counsel for the State.
3. The writ petition filed by the Petitioner involves the following prayer:

“It is therefore humbly prayed that, this Hon’ble High Court be graciously pleased to allow this Writ Petition, directing the Opp. Party to release the admitted arrear dues such as ex-gratia, admitted leave salary, etc. with interest forthwith as the Petitioner is a retired employee having no pension.

4. Learned counsel for the Petitioner referring to order dated 4.8.2020 passed in W.A. No.324 of 2019 and I.A. No.347 of 2019 submits that learned counsel appearing for the Corporation in the Writ Appeal submits before the Division Bench in Writ Appeal that after a clear finding given by the Office of the Opposite Party, the

Opposite Party have disbursed the admitted dues of the Petitioner. It is further seen from the order dated 04.08.2020 that the Division bench of this Court disposed of the I.A. with the observation that :-

“Mr. Pangari learned counsel appearing for the opposite parties submits that after normal function of the opposite parties office, the opposite parties will disburse all the admitted arrear dues to the petitioner.

Considering the above submissions, this Court disposes of the Interlocutory Application with a direction to opposite party No.2 to disburse the admitted arrear dues to the petitioner immediately after normal functioning of the Corporation Office.”

It is further submitted by learned counsel for the Petitioner that despite such an undertaking was given by the learned counsel for the Corporation in W.A. No.324 of 2019, the Corporation had not given the admitted arrear dues to the Petitioner. Further referring to the information received from the Right to Information Act, 2005, dated 25.2.2022, learned counsel for the Petitioner submits that the Corporation has furnished information to the applicant that *“the terminal benefits in respect of the Petitioner has already been released withholding a sum of Rs.52,425/- from the leave salary. However it is further stated that since W.A. No.324 of 2019 is under sub-judice so one time financial benefit towards pension shall be released after finalization of the case W.A. No.324/2019. In Column No.(iii), it has stated that the terminal dues to the tune of Rs.22,64,400/- has already been released in favour of the Petitioner.”*

5. Considering the limited nature of grievance, this writ petition stands disposed with a direction to the sole Opposite Party-Corporation to calculate and disburse the amount in view of the

undertaking given by learned counsel for the Opposite Party before the Division Bench of this Court in W.A. No.324/2019, which has been reflected in order dated 04.08.2020, within a period of six weeks from the date of certified copy of this order.

6. With the aforesaid direction, the writ petition stands disposed of.

7. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge



U.K.Sahoo