

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15804 of 2022

OSRTC, BBSR

....

Petitioner

-versus-

**Appellate Authority –cum- Joint
Labour Commnr., BBSR & Ors.**

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

22.07.2022

Order No

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. Mishra, learned counsel for the Petitioner and Mr. Das, learned ASC appearing for the State-Opp. Parties.

3. This writ Petition has been filed by the present Petitioner challenging dismissal of P.G. Appeal Case No.34 of 2021, which has been dismissed vide order dtd.18.01.2022 on the ground of non-compliance of the provision of Sec. 7(7) of the Payment of Gratuity Act, 1972.

4. Mr. Mishra, learned counsel for the Petitioner submitted that the Petitioner-Corporation is now ready to comply with the said provision, if some time is allowed to make such deposit.

5. Considering the submissions made by learned counsel for the Petitioner, this Court while setting aside the order dtd.18.01.2022, directs the appellate Authority to dispose of the appeal on merit

within a period six (6) months from the date of the deposit to be made by the Corporation in compliance to the aforesaid provision. This Court also permits the Corporation to make the deposit in compliance of Sec. 7(7) of the Act within a period three (3) weeks from today.

6. It is however observed that if no such deposit is made within the aforesaid period of three (3) weeks, the order passed on 18.01.2022 will be automatically revived.

7. The writ Petition is disposed of with the aforesaid observation and directions.

Issue urgent certified copy as per Rules.

(Biraja Prasanna Satapathy)
Judge

Sneha

