

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21258 of 2022

Simantini Pradhan

....

Petitioner

Mr. D.K. Panda, Advocate.

-versus-

State of Odisha & others

....

Opp. Parties

Mr. S.N. Das, ASC.

CORAM:

DR. JUSTICE S.K. PANIGRAHI

ORDER

08.12.2022

I.A. No.16028 of 2022

Order No.

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1. This matter is taken up through Hybrid Arrangement.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The above I.A. has been filed by the petitioner for modification of order dated 29.09.2022 passed by this Court in W.P.(C) No.21258 of 2022.
4. Learned counsel for the petitioner submits that the petitioner is entitled to get the interest @ 12% per annum due to delay caused by the opposite party but that was not reflected in the order dated 29.09.2022 for which the petitioner is losing her interest which she is entitled to for the delayed payment. He further submits that there was some typographical error in the said order, i.e., in Para-3

instead of OES-III, that would be OES-I, the petitioner was superannuated from service instead of 30.09.2017 that would be 30.11.2017 and in Para-4, instead of dated 17.10.2022 that would be 17.01.2020, the same may be corrected accordingly.

5. Considering such submission, this Court in modification of its aforesaid order dated 29.09.2022 directs that the petitioner be granted an interest @ 7% on the gratuity amount pending for disbursal after deducting from the due amount. This Court further directs that in Para-3 the word "OES-III" be read as "OES-I", the date of superannuation, i.e., "30.09.2017" be read as "30.11.2017" and in Para-4, the date, i.e., "17.10.2022" be read as "17.01.2020".

6. Rest part of the order dated 29.09.2022 shall remain unaltered.

7. The I.A. stands disposed of.

8. Issue urgent certified copy of this order as per rules.

(Dr. S.K. Panigrahi)
Judge