

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30367 of 2022

Suresh Prasad Mohanty ***Petitioner***
Mr.Rabinarayana Nayak, Advocate

-versus-

State of Odisha and others ***Opposite Parties***
Mr.A.Behera, A.S.C.
Mr.S.K.Patra, Advocate
For A.G.Odisha

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

23.11.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel and Mr.S.K.Patra, learned counsel for A.G.Odisha.
3. The present writ application has been filed with a limited prayer for a direction to the authority to sanction and disburse the final GPF amount in favour of the Petitioner within a stipulated period of time.
4. It is submitted by the learned counsel for the Petitioner that although the Petitioner has retired from service on attaining the age of superannuation with effect from 31.03.2019 he has not been aid his GPF although he has been paid other retiral benefit.
5. So far as the GPF is concerned, learned Additional Standing Counsel submits that there was some discrepancies as the Petitioner was working at different places and finally retired at Cuttack.

Therefore, the DFO Cuttack has written a letter to DFO Athagarh on 09.12.2019 requesting him to sanction temporary GPF. Further it appears that the DFO, Cuttack has also requested DFO, Athagarh to meet any objection made by A.G. of Orissa directly with the A.G. Orissa. Accordingly, such compliance has been made under Annexure-9 and sanction has been made.

6. It is further submitted by the learned counsel for the Petitioner that a sum of Rs.35,000/- was sought to be recovered from the Petitioner and accordingly the same was directed to be recovered in 48 installments of Rs.300/- per month and it is further stated that the same has already been recovered. Therefore, there is no impediment for releasing the final GPF amount.

7. It is further contended by the learned counsel for the Petitioner that vide letter dated 18.07.2019 the DFO, Cuttack has intimated to the Principal Accountant General (A & E) for final withdrawal of GPF amount payable to the Petitioner.

8. Mr.S.K.Patra, learned counsel appearing for Opposite party No.4 referring to letter under Annexure-9 submits that in spite of recovery of advance amount, there is no record available as it was stated by the Office of the DFO that records have been destroyed by white ants. In the last line of the order it has been categorically stated by the Office of the DFO, Athagarh that the GPF advance which has been drawn by the Petitioner has already been recovered from his salary and a statement has been enclosed evidencing the recovery under letter dated 27.08.2022.

9. Having heard learned counsel for the respective parties and after consideration of the rival contentions and further on perusal of the records this Court disposes of the writ application at the stage of admission directing the Opposite Party No.4 to process the claim of

the Petitioner expeditiously within a period of six week and the pending GPF amount be disbursed in favour of the Petitioner within a period of six weeks from the date of production of certified copy of this order with accrued interest.

10. With the aforesaid observation, the writ application stands disposed of.

11. Issue urgent certified copy of this order as per Rules.

RKS

(A.K. Mohapatra)
Judge

