

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.742 of 2011

Banshidhar Panda

.... ***Petitioner***
Mr. P.K. Mohapatra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. R.N. Mishra, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
09.02.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The short grievance of the Petitioner in the present writ petition is that he has not been paid full pension and gratuity as payable to him and to pay the differential amount within the stipulated period of time and further he has prayed for payment of interest for the delay in paying the legitimate dues of the Petitioner in time.
4. Learned counsel for the Petitioner relying upon the order dated 10.11.2010 passed by Orissa Administrative Tribunal, Bhubaneswar in O.A. No.1484 of 2002 submits that said order passed in his favour directing the authorities to pay full gratuity and pension to the Petitioner. However, such direction of Orissa Administrative Tribunal, Bhubaneswar has not been carried out by the authorities as of now.

5. Mr. R.N. Mishra, learned Additional Government Advocate appearing for the Opposite Parties submits that since the dispute is very old one, he has no instruction what has happened in this case in the meantime. However, he has no objection, if a direction is given to the authorities to carry out the direction earlier passed by Orissa Administrative Tribunal, Bhubaneswar.

6. Considering the submissions and the fact that the Petitioner must be aged about 80 years by now, this Court disposes of the writ petition with a direction to the Opposite Parties to pay the entire gratuity and pension payable to the Petitioner in terms of earlier order passed by Orissa Administrative Tribunal, Bhubaneswar and further for the delayed period in carrying out the order of the Orissa Administrative Tribunal within a period of two months from the date of production of certified copy of this order, the authorities shall pay interest @ 6% per annum to the Petitioner. Further it is made clear that this order shall hold good if the amount is not paid to the Petitioner. In the event, the amount has already been paid to the Petitioner, this order would stand automatically revoked.

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

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