

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC (OAC) NO.1358 OF 2019

Mihir Kumar Senapati

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

11.10.2022

Order No

1. **1.** This matter is taken up through Hybrid Mode.

2. Heard Mr. J.P. Choudhury, learned counsel for the petitioner, Mr. R.N. Mishra, learned A.G.A and Mr. S.K. Patra, learned counsel appearing on behalf of Accountant General (A & E), Odisha- Opp. Party No.3.

3. It is submitted that an amount of Rs.5,92,313/- was kept withheld from the gratuity entitlement of the petitioner by the office of the Accountant General, Odisha while issuing Annexure-4 on 14.2.2017. Mr. Choudhury, learned counsel for the petitioner submitted that subsequently vide communication issued on 7.2.2019 under Annexure-7, Opp. Party No.2 requested the Government to move the Accountant General for release of the gratuity amount in favour of the petitioner by recovering the amount as reflected in the said communication. It is submitted that in spite of such communication being issued since 7.2.2019, Opp. party No.1 is not taking any steps to move opp. party no.3 for release of the gratuity amount of the petitioner by recovering the amount so indicated in the

said communication.

4. In view of the same, this Court while disposing the writ petition directs opp. party No.1 to move the Accountant General-Opp. Party No.3 as requested in Annexure-7 within a period of fifteen (15) days from the date of receipt of this order. It is further observed that on receipt of the said proposal from Opp. Party No.1, Opp. Party No.3 shall release the gratuity entitlement of the petitioner within a further period of three weeks. The petitioner is directed to produce a copy of the order before Opp. Party No.1 within a period of seven days from the date of receipt of the order for compliance.

4. The Writ Petition is accordingly disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita

