



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C)No.19845 of 2022

Sarangadhar Bhoi

....

Petitioner

Mr. Sisir Das, Adv.

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. S.Das,ASC

Mr. S.K. Patra, Adv.

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

Order No.

13.08.2025

- 10.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
- 2.** Heard learned counsel appearing for the parties.
- 3.** The Present Writ Petition has been filed inter alia with the following prayer:

It is therefore, humbly prayed that this Hon'ble Court shall graciously be pleased to admit this writ application and issue a Rule NISI calling upon the Opposite Parties to show cause as to why the recovery of an amount of Rs.3,13,039/- shall not be declared illegal and the letter of Opp. Party No.3 under Annexure-11(deducting the amount of Rs.3,13,039/-) shall not be quashed and the Opp. Parties shall not be directed to pay the total amount of gratuity of Rs.3,96,825/- with 7% interest to the Petitioner.

And if the Opp. Parties fail to show cause or show insufficient cause, the said Rule NISI be made absolute and the Hon'ble Court be pleased



to declare the recovery made by the Opp. Party from the gratuity of the Petitioner as illegal and the letter under Annexure-11 be quashed and further direct the Opp. Parties to pay the total gratuity amount of Rs.3,96,825.—with 7% interest to the Petitioner,

And any other writ/writs, direction/directions, order/orders be issued providing complete relief to the Petitioner;

And for this act of kindness, the Petitioner as in duty bound shall ever pray.

4. It is contended that when the gratuity amount of the Petitioner as due and admissible was not released even though Petitioner was superannuated from his services on 31.08.2013, the present Writ Petition was filed.

4.1. It is also contended that on the ground of some audit objection, the gratuity amount of the Petitioner as due and admissible was withheld. However, while filing the additional affidavit on 30.08.2024, Opp. Party No.2 in para 6 of the said affidavit has submitted as follows:

That, since the office of the Account General, Odisha, Bhubaneswar has already authorized for payment of the total amount of DCRG of Rs.3,96,825/- in favour of the Petitioner without deducting the audit objected amount of Rs.3,13,039/- and the Petitioner may be directed to collect the said DCRG amount from the Treasury Officer, District Treasury, Cuttack, if not received. Hence, the present Writ Petition may be dismissed as infructuous.

4.2. It is contended that since basing on the sanction so made by Opp. Party No.2, Opp. Party No.3 has



already issued the authority slip for payment of the total gratuity amount of the Petitioner amounting to Rs.3,96,825/-, Treasury Officer, District Treasury, Cuttack be directed to release the same in favour of the Petitioner .

5. Mr. S.K. Patra, learned counsel appearing on behalf of Opp. Party No.3 on the other basing on the stand taken in the counter affidavit contended that pursuant to such sanction made by Opp. Party No.2, authority slip for an amount of Rs.3,96,825/- was issued by Opp. Party No.3 on 13.11.2023. But since Petitioner did not withdraw the amount from the Treasury Officer, District Treasury, Cuttack, the authority slip has lost its validity and unless a fresh sanction order is issued by Opp. Party No.2, the amount cannot be released, in terms of the stand taken in para-6 of the additional affidavit.

6. Having heard learned counsel for the parties, considering the submission made and the stand taken in para 6 of the additional affidavit filed by Opp. Party No.2 and the fact that the authority slip so issued by Opp. Party No.3 has lost its validity, this Court while disposing the Writ Petition directs Opp. Party No.2 to issue a fresh sanction order sanctioning a sum of Rs.3,96,825/- towards the DCRG entitlement of the Petitioner within a period of two (2) weeks from the date



of receipt of this order. On such issuance of a fresh sanction order within the aforesaid time period, Opp. Party No.3 shall do the needful and issue a fresh authority slip for the amount in question within a period of two(2) weeks thereafter, with due intimation to the Petitioner.

7. The Writ Petition accordingly stands disposed of with the aforesaid observation and direction.

(Biraja Prasanna Satapathy)
Judge

sangita

Signature Not Verified

Digitally Signed
Signed by: SANGITA PATRA
Reason: authentication of order
Location: high court of orissa, cuttack
Date: 18-Aug-2025 15:18:27

