



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22305 of 2024

Riazuddin

....

Petitioner

Mr. C.R. Pattnaik, Advocate

-Versus-

Union of India and Others

....

Opposite Parties

Ms. B. Sahu, CGC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

11.09.2024

Order
No.
01.

1. Heard learned counsel for the petitioner.
2. Instant writ petition is filed by the petitioner challenging the impugned decision as per Annexure-3, whereby, an amount of Rs. 2,48,582/- has been deducted from the gratuity of the petitioner.
3. Mr. Pattnaik, learned counsel for the petitioner relies on a decision of the Apex Court in **Jagdish Prasad Singh Vrs. State of Bihar and other (2024) 8 SCR 377** contending that such deduction is not permissible, hence, therefore, the impugned decision under Annexure-3 is liable to be set aside with consequential direction issued to refund the amount already recovered from the petitioner after his superannuation.
4. Ms. B. Sahu, learned CGC is present in Court and requests for adjournment to seek instructions and to reply back to the contention of Mr. Pattnaik, learned counsel for the petitioner based on the decision of the Apex Court in **Jagdish Prasad Singh** (supra).



5. Considering the above request, list on 27th September, 2024 for final orders on receiving instructions from the opposite parties. An extra copy of the writ petition with annexures be served on Ms. Sahu, learned CGC by tomorrow.

(R.K. Pattanaik)
Judge

TUDU