



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33421 of 2025

**The Chief General
Manager, State Bank of
India, Pandit Jawaharlal
Nehru Marg, BBSR**

.... **Petitioner**
Mr. P.K. Mohanty, Sr. Advocate
with Mr. S.N. Dash, Advocate

-versus-

**Appellate Authority under
P.G. Act, BBSR and
Others**

.... **Opposite Parties**
Mr. C.K. Pradhan, AGA

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
15.12.2025**

Order No.

- 02.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for the parties.
3. The present Writ Petition has been filed *inter alia* challenging the order passed by the Controlling Authority under the Payment of Gratuity Act under Annexure-8, so confirmed by the Appellate Authority vide order under Annexure-10.
4. It is contended that even though the gratuity amount as due and admissible to the Opp. Party No.3 has been duly disbursed, even though Opp. Party No.3 was dismissed from his services vide order dated



12.04.2004, both the authorities have now allowed interest @ 10% on the gratuity amount from the date of entitlement till 07.11.2022 when the same was paid.

4.1. It is contended that since Opp. Party No.3 was dismissed from his services vide order dated 12.04.2004, so confirmed by the Appellate Authority as well as Revisional Authority and the Writ Petition filed by Opp. Party No.3 in W.P.(C) No.14853 of 2005 has been dismissed for non-prosecution vide order dated 02.08.2022, Opp. Party No.3 is not entitled to get any interest, so allowed vide the impugned orders.

4.2. It is contended that in view of the provisions contained under Second proviso to Section-8 of the Act, the amount payable towards interest in no case exceeds the amount of gratuity payable under the Act. It is also contended that Opp. Party No.3 has been paid a sum of Rs.3,50,000/- towards his gratuity entitlement vide Annexure-7.

5. Considering the submission made, this Court is inclined to issue notice on the question of admission by Speed Post, requisites for which shall be filed by 17.12.2025.

6. List this matter in the week commencing 16.02.2026.

(Biraja Prasanna Satapathy)
Judge



03. I.A. No.20713 of 2025

1. Notice as above.
2. In the interim, there shall be stay of operation of the order issued under Annexures-8 and 10 subject to the petitioner depositing a sum of Rs.3,50,000/- before the Registry of this Court by 24.12.2025 till the next date. Registry is directed to invest the same in a fixed deposit for a period of six months with clause for renewal.

(Biraja Prasanna Satapathy)
Judge

Basudev