



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) Nos.41503, 41510 & 41512 of 2021

W.P.(C) No.41503 of 2021

Ajay Kumar Praharaj

Petitioner

Mr. S.N. Panda, Adv.

-versus-

UCO Bank, BBSR & Anr.

Opp. Parties

*Mr. B.N. Udgata, Adv. for
Bank*

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

18.08.2025

Order No.

09. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard learned counsel appearing for the Parties.

3. Since the issue involved in all the three Writ Petitions is identical, all the Writ Petitions were heard analogously and disposed of by the present common order.

4. All these Writ Petitions have been filed *inter alia* challenging the rejection of the Petitioners' claim to get the benefit of gratuity and pension for the period they discharged their duty as casual worker.

4.1. It is contended by the learned counsel appearing for the Petitioners that, Petitioners while continuing as Casual Workers, they were regularized vide orders issued by the Bank on 03.12.2005. Thereafter while continuing as such when they retired the period of service rendered



by them as Casual Worker when has not taken into consideration for the purpose of sanction of pension and gratuity, Petitioners moved the Bank to take the period in to account for the purpose of sanction of pension and gratuity. But such claim made by the Petitioners was rejected vide the impugned order dtd.06.07.2021 in all the three cases. It is accordingly contended that rejection of the Petitioners' claim is not sustainable in the eye of law.

5. Mr. B.N. Udgata, learned counsel appearing for the Opposite Party-Bank on the other hand contended that similar issue was before this Court in various Writ Petitions and the same when was allowed, Opposite Party-Bank approached this Court by filing W.A. Nos.227, 228, 229 & 230 of 2020. The Writ Appellate Court vide order dtd.12.04.2023 while setting the order so far as the claim of the Petitioners to get the benefit of pension for the period they worked as casual worker, only upheld the claim so far as the claim relates to get the benefit of gratuity.

5.1. It is accordingly contended that claim of the Petitioners to get the benefit of pension for the period they worked as casual worker is no more entertainable in view of the decision passed in the aforesaid Writ Appeals and the claim can only be considered so far as the claim for gratuity is concerned.



5.2. Mr. S.N. Panda, learned counsel appearing for the Petitioners does not dispute the contentions raised by the learned counsel appearing for the Opposite Party-Bank and the order passed in the above said Writ Appeals.

6. Having heard learned counsel appearing for the Parties, considering the submissions made and placing reliance on the order passed on 12.04.2023 in the W.A. Nos.227, 228, 229 & 230 of 2020, this Court while disposing all the Writ Petitions without interfering with the impugned order, only observe that Petitioners can raise their claim to get the benefit of gratuity for the period they worked as casual worker under the provisions of Payment of Gratuity Act.

6.1. Accordingly, this Court grants liberty to the Petitioners to move the competent authority under the Payment of Gratuity Act to get the benefit of gratuity for the period they worked as casual workers. It is open for the Controlling Authority under the Payment of Gratuity Act to take his own decision in accordance with law.

7. Accordingly, all the Writ Petitions stands disposed of with the aforesaid observations and directions.

8. Photo copy of the order be placed in connected cases.

Signature Not Verified

Digitally Signed
Signed by: SUBRAT KUMAR BARIK
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 20-Aug-2025 12:53:42



(Biraja Prasanna Satapathy)
Judge