



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2253 of 2026

**Satyendra Narayan
Chand**

....

Petitioner

Mr. S. K. Mohanty, Advocate

-versus-

**The Appellate Authority
under the Payment of
Gratuity Act, 1972 &
Joint Labour
Commissioner, BBSR &
Ors.**

....

Opposite Parties

Mr. S.P. Das, ASC

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

26.03.2026

Order No.

- 04.** 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* challenging the order passed on 31.10.2025 so passed by Opposite Party No.1 under Annexure-14.
4. Learned counsel appearing for the Petitioner contended that the stand taken by the appellate authority that the proceeding is not maintainable before him and instead Petitioner has to approach the concerned labour forum under the I.D. Act, 1947 is not



legal and correct and instead the proceeding should have been entertained by the said authority. This Court after going the impugned order finds that the appellate authority has taken such a view relying on a decision of the Hon'ble Apex Court in the case of **Allahabad Bank & Ors. Vs. All India Allahabad Bank Retired Emps. Assn. & Ors.**

4.1. It is also found from the order that Hon'ble Apex Court in the said reported decision has held such a proceeding is not maintainable before the authority under the Payment of Gratuity Act.

5. In that view of the matter, this Court finds no illegality or irregularity with the impugned order. It is open for the Petitioner to move the appropriate forum in accordance with law.

6. With the aforesaid liberty, the Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat