

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.12497 of 2012

ORDER:

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Heard learned counsel for the petitioner and the learned counsel for the respondents. With the consent of both the parties, the writ petition is disposed of at the admission stage.

The present writ petition is filed declaring the inaction of the respondents in considering the application of the petitioner for pension under Swatantra Sainik Samman pension scheme, 1980 and for consequential arrears with effect from the date on which said application is made.

The averments in the writ petition are as under:

It is stated that the petitioner along with others who are residents of Khammam District fought against Hyderabad state of Nizam Government for its merger into Indian Union and they participated in the freedom movement during 1947-48. The Government of India formulated a scheme Swatantra Sainik Samman Pension Scheme-1980 in order to provide financial assistance to the freedom fighters. Pursuant to which, the petitioner applied for grant of pension in the year 1997. As the said application was not considered, W.P.No.8078 of 1997 came to be filed.

By an order dated 25-04-1997, this Court disposed of the writ petition directing the 1st respondent herein to place the case of the petitioner before a committee scheduled to sit on 05-05-1997 or in any other meeting subsequent thereto. The Screening Committee was directed to take appropriate decision in the matter after scrutinizing each case and the material available on record and then take an appropriate decision in the matter as to whether the same should be forwarded or recommended to the Government for appropriate action thereon. Since there was no action from the respondents, the present writ petition came to be filed.

A counter came to be filed by the respondents 1 and 2 stating that pursuant to the order of this Court in W.P.No.8078 of 1997, case of the petitioner was placed before the then Hyderabad Special Screening Committee for scrutinizing the applications of the petitioner and others who claimed sufferings in the border camps during the Hyderabad Liberation Movement. But the said committee did not recommend the claim of the petitioner.

Learned counsel for the petitioner submits that the counter filed by the respondent does not contain any date, as to when the Screening Committee dealt the case of the petitioner and as to when they passed orders refusing to recommend the claim of the petitioner. He submits that till date, the petitioner was not communicated with any order rejecting his claim. He submits that if order passed is communicated to him, he will take steps in accordance with law.

Having regard to the circumstances stated above and without going into the merits of the case, the writ petition is disposed of directing the respondents 1 and 2 to communicate the result of the Government with regard to the application made by the petitioner in the year 1997 seeking Swatantra Sainik Samman Pension, within a period of eight weeks from the date of receipt of the order.

As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

14-07-2015
nvl

