

HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.673 OF 2015

Date: 28.08.2015

Between:

Smt. Billa Prameela, w/o. late Billa Sanjeeva Reddy,
Aged about 80 years, Occu: Dependent Pensioner,
R/o. Mylaram Village, Rayaparathi Mandal,
Warangal District, Telangana State.

.... Petitioner

AND

Mr. Madan Pal, Section Officer, Union of India,
Ministry of Home Affairs (FFD), 2nd Floor,
NDCC-II Building, Jai Singh Road, New Delhi
and another

.... Respondents

The Court made the following:

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ORDER:

Petitioner challenged the proceedings of the Section Officer, Freedom Fighters Division, Ministry of Home Affairs, Government of India, dated 13.02.2014, where under having noticed that wives of the deceased petitioner were drawing full pension, whereas they are entitled to only 50% pension, order was passed to recover the overdrawn pension.

2. This Court by order dated 10.12.2014 in W.P.M.P.No.47483 of 2014 in W.P.No.37964 of 2014 directed interim suspension of the orders impugned in the writ petition to the extent of recovery only. This Contempt Case is filed alleging that even though there is interim stay granted by the Court, full pension is not paid to the petitioner, but only 50% of the pension amount is paid and, therefore, same amounts to committing contempt of orders of this Court.

3. It is categorical stand of the respondents that no recovery proceedings are taken up after the orders passed by this Court.

4. As seen from the order passed by this Court, interim suspension granted by this Court is only to the extent of recovery in pursuant to the impugned proceedings. As clearly stated by the learned counsel for petitioner, no recovery proceedings are taken up after order is passed. Her grievance appears to be that full pension is not paid and only 50% is being paid. Since the order passed by this Court is not concerning quantum of pension/family pension to the petitioner, petitioner shall work out her remedies. It cannot be said that respondents have committed contempt of the orders necessitating initiation and continuation of the proceedings. The Contempt Case is accordingly closed.

Miscellaneous petitions if any pending in this case shall stand closed.

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