

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.24655 of 2010

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ORDER :

This Writ Petition is filed seeking to issue a writ of *Mandamus* to declare the action of the respondent in not granting pension to the petitioners even though Government of A.P. and Eminent Freedom Fighters Committee have recommended their claims in the year 2008 and 2009 itself, as illegal and arbitrary and consequently direct the respondent to grant pension to the petitioners under Swatantrata Sainik Samman Pension Scheme, 1980 in the light of re-verification report dated 14-11-2008 (in respect of petitioner No.2) sent by the Government of A.P. and also recommendations of Committee.

When the matter is taken up for hearing, it is represented that the 1st petitioner died, hence, nothing survives in the writ petition for consideration as far as the 1st petitioner is concerned.

As far as the 2nd petitioner is concerned, in view of the counter filed by the respondent stating that the case of the 2nd petitioner would be considered on receipt of recommendations from the State Government, this Court is of the view that the Writ Petition can be disposed of as follows :

The respondent herein is directed to consider the case of the 2nd petitioner to grant pension under Swatantrata Sainik Samman Pension Scheme, 1980 and pass appropriate orders, if any recommendations are made by the State Government

The writ petition is accordingly disposed of. No order as to costs. Consequently, the miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE RAJA ELANGO

22nd April, 2015

skmr