

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.26578 of 2006

ORDER :

This writ petition is filed seeking to issue a writ of *Mandamus* to declare the action of the 1st respondent in not releasing the benefit of Swatantra Sainik Sanman Pension Scheme to the petitioner as recommended by the Special Screening Committee as illegal and arbitrary and consequently direct the 1st respondent to release the benefits of the Swatantra Sainik Sanman Pension Scheme to the petitioner with retrospective effect from the date of application and recommendation made by the Special Screening Committee and respondents 2 and 3.

2. The main grievance of the petitioner herein is that even though his name was recommended by the Hyderabad Special Screening Committee, the 1st Respondent, which is authorized to grant pension, has not passed any orders.

3. During the course of arguments, the letter No.112/3716/85-FF(HC)(D), dated January, 2006 forwarded by the concerned authority is brought to the notice of this Court, in which it is stated that the petitioner's case was not recommended by the Hyderabad Special Screening Committee and the slip, which is filed along with the application, also does not disclose the material particulars to enable the authority to pass any orders in favour of the petitioner.

4. Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the petitioner to file a fresh application for Swatantra Sainik Sanman Pension before the authority concerned along with all material papers within a period of twenty days from the date of receipt of a copy of the order and if his case is recommended by the Hyderabad Special Screening Committee, the 3rd Respondent herein is directed to consider the same and pass appropriate orders. No order as to costs. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

27th January, 2015

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