

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

WP No.25703 of 2015

Between:

B. Jaya Lakshmi

...Petitioner

And:

Telanga State Road Transport Corporation,
Rep. by its Joint Managing Director,
Hyderabad & others

... Respondents

DATE OF JUDGMENT PRONOUNCED: 14.08.2015

SUBMITTED FOR APPROVAL:-

THE HON'BLE SRI JUSTICE R. KANTHA RAO

1. Whether Reporters of Local newspapers may Yes/No
 be allowed to see the Judgments?
2. Whether the Copies of Judgment may Yes/No
 be marked to Law Reporters/Journals
3. Whether Their Lordship wish to see the Yes/No
 fair copy of the Judgment?

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.25703 of 2015

ORDER:

Heard Sri Jithender Rao Veeramalla, learned counsel
appearing for the petitioner and Sri B. Mayur Reddy, learned standing
counsel for the respondents-Corporation.

2. According to the petitioner, her husband by name B.

Sambaiah, worked as a driver in the respondent-Corporation. While her husband was in service, a disciplinary enquiry was conducted against him on the ground that he caused death of three persons by his rash and negligent driving. After enquiry, her husband was removed from service by order dated 26.11.1998. The said removal order was challenged by her husband before the Industrial Tribunal cum Labour Court, Warangal in ID No.123 of 1999. The Labour Court, vide Award dated 17.09.2001 set aside the removal order dated 26.11.1998 and directed the Corporation to reinstate the husband of the petitioner into service as a fresh driver and accordingly her husband was reinstated into service. Her husband also filed WP No.15701 of 2002 before this court against the Award of the Labour Court for grant of continuity of service with all consequential attendant benefits. This Court by order dated 14.02.2011 modified the Award of the Labour Court granting continuity of service without back wages. While the said writ petition was pending, on attaining the age of superannuation, her husband retired from service on 31.12.2010. Ever since the date of retirement, her husband moved around the office of 2nd and 3rd respondents for settlement of terminal benefits, but there was no response from them. Subsequently, her husband passed away on 27.09.2013. The grievance of the petitioner is that after the death of her husband, in spite of making repeated requests and several representations to the 2nd and 3rd respondents for settlement of the terminal benefits of her husband, the 2nd and 3rd respondents have not settled the same. Her latest representation submitted to respondents 2 and 3 is dated 31.12.2014. Hence, she filed the present writ petition seeking a direction to the respondents for payment of retirement benefits due to her husband and for a consequential direction to pay the arrears as per the orders passed by this Court in WP No.15701 of 2002.

3. Under these circumstances, Respondents 2 and 3 are

directed to settle the retiral benefits of late B. Sambaiah, who is the husband of the petitioner, by taking in to consideration of the order passed by this Court in WP No.15701 of 2002 dated 04.02.2011, in accordance with law, and pay the same to the petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. The writ petition is accordingly disposed of. Pending miscellaneous petitions, if any, in this writ petition, shall stand closed.
No order as to costs.

R. KANTHA RAO, J

Date: 14.08.2015
BSS

HON'BLE SRI JUSTICE R. KANTHA RAO

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