

THE HON'BLE SRI JUSTICE A.V. SESA SAI

-
WRIT PETITION No.1330 OF 2016
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ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to call for the records from the Respondents and issue an appropriate Writ, Order or Direction, particularly one in the nature of Writ of Mandamus, declaring that the action of respondents in withholding the service benefits of petitioner's late husband, such as gratuity, PF and CCS as illegal, unjust, contrary to law, arbitrary, in violation of principles of natural justice and violative of Articles 14, 16 and 21 of the Constitution of India; and further declare that petitioner is entitled for the amounts which were withheld by the Respondent Corporation.”

2. Heard Sri A.K.Jayaprakash Rao, learned counsel, appearing for the petitioner and Sri N.Vasudeva Reddy, learned standing counsel for the respondent – Road Transport Corporation.

3. According to the petitioner, her husband joined in respondent Corporation as a Conductor in the year 1984 and he was removed from service on 06.11.1998. It is further stated that as against the order of removal, petitioner's husband preferred an appeal on 15.02.1999 and the said appeal has not been disposed of so far. It is stated in the affidavit filed in support of the writ petition that on 06.01.2011, petitioner herein made a representation to the Depot Manager, A.P.S.R.T.C., Narayankhed Depot, requesting for payment of S.R.B.S., P.F., C.C.S., Gratuity and other benefits, which her husband was entitled to and the same has not been disposed of so far.

4. In the facts and circumstances of the case, this Court is of the considered opinion that the ends of justice would be met, if a direction is issued to the respondent Nos.2 and 3 to pass appropriate orders on

the representation said to have been submitted by the petitioner herein by fixing some timeframe.

5. For the aforesaid reasons, Writ Petition is disposed of, directing the respondent Nos.2 and 3 to pass appropriate orders on the representation dated 06.01.2011 said to have been submitted by the petitioner herein, within a period of six weeks from the date of receipt of a copy of this order, in accordance with law.

6. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

16.02.2016
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