

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.12416 of 2014

ORDER:

1. When the vacate stay petition, W.V.M.P.No.1063 of 2015, is taken up for consideration, the learned Counsel appearing on either side agreed for disposal of the main writ petition.

2. The petitioner is a society running a High School in Godavarikhani, Karimnagar District, eight High Schools in four districts of Andhra Pradesh, one Women's Junior, Degree and Post Graduate Colleges at Kothagudem, Khammam District. It also runs one Polytechnic college at Srirampur, Adilabad District. Payment of Gratuity (Central) Rules, 1972 is applicable to the petitioner. The husband of the 3rd respondent, Abdul Rasool, was appointed as an attender in the High School at Godavarikhani on 06.08.1980 and when he was found medically unfit, his services were terminated on 04.02.2005. He expired on 07.08.2005. The 3rd respondent made a claim before the petitioner for payment of gratuity amount to the said Abdul Rasool. As the 3rd respondent was a divorcee and neither a legal heir nor a nominee, she was not paid gratuity. Subsequently, it appears that she filed O.S.No.2 of 2011 on the file of the Junior Civil Judge, Godavarikhani declaring her status as wife of the deceased Abdul Rasool. The said suit ended in a compromise where she was declared as a wife of the said Abdul Rasool. In view of the same, the learned Counsel for the petitioner fairly submitted that the amount due to the deceased Abdul Rasool would be paid to the 3rd respondent.

3. In view of the aforesaid submission, without going into the merits of the case, this Writ Petition is disposed of giving liberty to the petitioner to pay the amount due to the deceased Abdul Rasool to the 3rd respondent, within a period of eight weeks from the date of receipt of a copy of this order. Consequently, the proceedings initiated by the 2nd respondent shall stand terminated. No order as to costs.

Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

29-06-2016

Gsn