

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.36943 of 2016

ORDER:

Petitioner's husband late Khaja Mahmood Ali retired on 30-11-2008. He subsequently died on 03-04-2015.

2. Petitioner contends that no action was taken to release pensionary benefits to her husband during his lifetime or even thereafter till date.

3. Learned Government Pleader for Services appearing for respondents states on instructions that due to certain irregularities committed involving misappropriation of funds, 4 charges were framed pursuant to a charge memo dt.19-07-2005, which was issued to the husband of petitioner; that petitioner's husband replied to the said charge memo on 01-09-2005; thereafter an Enquiry Officer was also appointed, but the Enquiry Officer did not submit any report and in the meantime, the husband of petitioner retired on 30-11-2008 and died subsequently.

4. Learned Government Pleader for Services appearing for respondents contends that petitioner's husband did not submit any pension papers after his retirement so that they may be processed, and only on 05-11-2016, the petitioner merely submitted a representation seeking pensionary benefits of her husband. It is also stated that if the petitioner submits proposals along with original Service Register of her husband to the Mandal Parishad Development Officer,

Ibrahimpattanam for sanction of pensionary benefits, further action would be taken in the matter.

5. Learned counsel for petitioner submits that the original Service Register of petitioner's husband would be in the custody of 2nd respondent and it is not possible for the petitioner to submit the same.

6. Having regard to these circumstances, petitioner is directed to submit application seeking pensionary benefits of her husband in proper form to the Mandal Parishad Development Officer, Ibrahimpattanam. The said Official shall summon original Service Register of petitioner's husband from the Office of the District Collector, Panchayat Wing, Ranga Reddy District and then process the pensionary claim of petitioner within three (03) months from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of with the above directions. No costs.

8. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 21-11-2016
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