

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL**

WRIT PETITION No.7848 of 2016

Dated: 11.03.2016

Between:

The Deputy Educational Officer,
Gudivada, Krishna District
and others.

.. Petitioners

And

Smt. A.V.N.Lakshmi, w/o. Varaprasad,
Age: 58 years, Hindi Pandit (Retired),
and another.

.. Respondents

Counsel for the Petitioners: Government Pleader for Services (A.P)

Counsel for the Respondents: --

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This Court made the following:

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ORDER: (Per Hon'ble Sri Justice C.V. Nagarjuna Reddy)

This writ petition is filed for certiorari to quash order, dated 11.02.2015, in O.A.No.7043 of 2013 on the file of the A.P. Administrative Tribunal at Hyderabad (for short 'the Tribunal'), whereby it has directed the petitioners to release the pension and pensionary benefits including gratuity and GPF within eight weeks from the date of receipt of the order.

The only grievance raised by the learned Government Pleader for Services (A.P) before us in this writ petition, at the hearing, is that, while in principle the petitioners have no objection for release of pension and pensionary benefits as directed by the Tribunal, in law they are disabled from making payment of these benefits to respondent No.1 as, under several orders passed by the competent Civil Courts, the benefits such as leave salary etc., have been attached and that if payments are made, it amounts to violation of the orders of the Civil Courts. Though in the impugned order, it is not directed that the payments shall be subject to the orders passed by the competent Civil Courts, in law it is always so, as the petitioners are bound by the orders passed by the Courts of competent jurisdiction.

Accordingly, the impugned order is clarified to the extent that the liability of the petitioners to pay pensionary benefits shall be subject to the attachment/garnishee orders, if any, passed against them in respect of the pensionary benefits payable to respondent No.1.

Subject to the above clarification, the Writ Petition is disposed of. As a sequel to disposal of the writ petition, WPMP.No.9988 of 2016 filed by the petitioners for interim relief stands disposed of as infructuous.

C.V.NAGARJUNA REDDY,J

M.S.K.JAISWAL,J

11.03.2016
v v