

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 5235 of 2013

DATED 23rd JUNE, 2016

BETWEEN

Smt. Mumtaz Begum

...

Petitioner

And

The AP State Road Transport Corporation,
Rep. by its Depot Manager,
APSRTC, Nirmal Depot, Adilabad District and anr

..Respondents.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No. 5235 of 2013

ORDER:

The husband of the petitioner was appointed as Driver in the respondent-Corporation in the year 1980 and his services were regularized in the cadre of Grade-I Driver. He was removed from service on 7.4.2004. Challenging the order of removal, he preferred an appeal and the same was rejected on 9-7-2004. Against the said order of rejection and the order of removal, he raised an Industrial Dispute being I.D.No.83 of 2004 which was dismissed by the Industrial Tribunal-cum-Labour Court through order dated 29.7.2006. Thereafter the husband of the petitioner passed away on 17.3.2007. When the dues of terminal benefits consequent upon the death of the husband of

the petitioner were not paid, the present Writ Petition is filed.

A counter affidavit is filed on behalf of the respondents stating that the petitioner submitted an application stating that her husband expired on 17.03.2007 and sought for payment of terminal benefits. Another representation also came from one Smt. Begum and both the claims were referred to Depot Manager, Nirmal. In view of the rival claims, the payment of amount was not settled. In view of the same, a direction was sought from the Regional Manager's Office, Adilabad on 12.09.2007. Pursuant to the same, the Personnel Officer, Adilabad by letter dated 03.12.2007 issued a communication for making payment of terminal benefits to the nominee of the deceased driver, i.e. the petitioner herein and accordingly the dues of terminal benefits were paid to the petitioner.

In view of the payment of dues of terminal benefits to the petitioner as stated in the counter affidavit, no further orders need be passed in the Writ Petition. Accordingly the Writ Petition is closed. However, it is left open for the petitioner to submit a representation to the respondent authorities for payment of dues of terminal benefits, if any, and if a such representation is filed, the respondents are directed to consider the same and pass appropriate orders.

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

JUSTICE A.RAMALINGESWARA RAO

DATED 23rd JUNE, 2016.
Msnr_x