

THE HONB'E SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.12376 OF 2011

ORDER:

Heard learned counsel appearing for the petitioner and learned Standing Counsel for the Central Government. Learned counsel for the petitioner submits that the present writ petition is squarely covered by the order dated 06.01.2016, passed by this Court in W.P.No.13839 of 2007 and requested to dispose of this matter in terms of the said order.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent No.1 in issuing the impugned order in Lr.No.112/815/83-FF (HC), dated 08.04.2010, suspending the Swatantra Sainik Samman Pension sanctioned to the petitioner on untenable grounds, as illegal, arbitrary and violative of principles of natural justice.

By an order, dated 28.06.2011, this Court while issuing Rule-nisi, suspended the impugned order.

The averments in the affidavit filed in support of the writ petition would show that petitioner is a freedom fighter, participated in the Hyderabad Liberation Movement. He made an application to the respondents for sanction of Swatantra Sainik Samman Pension by submitting relevant documents. It is stated that initially the respondents sanctioned the pension to the petitioner, but thereafter, the second respondent issued the impugned letter calling upon the petitioner to show cause as to why the said pension should not be cancelled on the ground that the

information furnished by him is false. It is stated that the petitioner herein submitted a representation to the show-cause notice but till date no orders have been passed.

On the other hand, learned counsel representing the Central Government would submit that the enquiry has been conducted but order could not be passed because of the pendency of the writ petition before this Court. In that view of the matter, without going into the merits of the case and having regard to the submissions made, the writ petition is disposed of, directing the respondent authorities to pass final orders in accordance with law, if not already passed. Till such time, the respondents shall pay the pension to the petitioner if he is being paid during the pendency of the writ petition. No order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

Date:22.12.2016,
Gk.

CHALLA KODANDA RAM,J

THE HONB'E SRI JUSTICE CHALLA KODANDA RAM



WRIT PETITION No.12376 OF 2011

Date:22.12.2016

Gk