

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.3887 OF 2016

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue an appropriate writ or direction, particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the respondents No. 1 to 3 for not settling the service benefits of the petitioner's late husband Ravi, Driver, E.No.112133 for the service he has rendered from the 1985 till the date of his death i.e., 19.05.2010 which includes out of service period also, further action of the 4th respondent not settling the family pension as arbitrary, unjust, and in violation of Art. 21 and 300-A of Constitution of India and consequently the petitioner pray this Honble Court direct the respondents No.1 to 3 to arrange the service benefits of her late husband P.Ravi i.e., gratuity, accumulated amount of provident fund, S.R.B.S., S.B.T., C.C.S., and family pension payable from the date of my husband Rs.1,00,000/- duly fixing the petitioner's husband's pay in various revision of pay scales which took place 01.04.1997, 01.04.2001, 01.04.2005 and 01.04.2009 and duly adding notional increments along with 12% interest per annum from due date and further direct the 4th respondent to pay the pension in the interest of justice and fair play.”

2. Heard Sri V.Narasimha Goud, learned counsel, appearing for the petitioner and Sri N.Vasudeva Reddy, learned standing counsel for the respondents 1 to 3 and Sri T.Balaji, learned standing counsel for the 4th respondent.

3. During the course of hearing, it is submitted by the learned counsel for petitioner that for redressal of the grievance of the petitioner, petitioner herein submitted a representation dated

08.08.2013 and the same has not been disposed of by the respondents so far and direction may be issued to the respondents to pass appropriate orders on the said representation. This Court considers the said request as reasonable and the said request is not opposed by the other side.

4. For the aforesaid reasons and having regard to the nature of controversy, Writ Petition is disposed of, without expressing any opinion on the merits of the matter and entitlement of the petitioner, directing the 3rd respondent to pass appropriate orders on the representation dated 08.08.2013, said to have been submitted by the petitioner herein, within a period of two months from the date of receipt of a copy of this order.

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

A.V.SESHA SAI, J

23.02.2016
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