

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

CONTEMPT CASE Nos.294 and 295 of 2016

COMMON ORDER:

1. These two Contempt Cases are filed alleging non-implementation of the common order passed by this Court in W.P.Nos.20432 of 1999 and 27381 of 1997 dated 13.08.2002.

2. Pursuant to the orders of this Court dated 28.10.2016, the 3rd respondent-contemnor is present.

3. The petitioner in W.P.27381 of 1997 retired from service in the year 1993, whereas the petitioner in W.P.No.20432 of 1999 retired from service in 1997. When the pensionary benefits were not extended to the petitioners, the above writ petitions were filed and the Government took a defence that the pensionary benefits are not extended to the institutions under the control of Indian Medicine and Homeopathy Department. It was also stated that the Unani Medical College, in which the petitioners worked, cannot be treated as a Degree college and as such the Rules framed under G.O.Ms.No.2 Education dated 05.01.1994 extending the A.P. Revised Pension Rules 1980 to the Aided Degree, Oriental and Medical Colleges do not apply to the college in question.

4. This Court, after considering the said submissions, by taking into consideration the extension of revised pension rules to the employees of the Nizamia Tibbi College, which is a college of Unani Medicine, allowed the writ petitions and directed payment of pensionary benefits

to the petitioners. The said order was passed on 13.08.2002. It appears that against the said order, Writ Appeal Nos.640 and 1899 of 2003 were filed by the State and they were dismissed on 10.11.2014. Against the same, Special Leave Petitions were filed and they were also dismissed on 04.07.2016. After receipt of the information about the dismissal of the SLPs, the State Government issued instructions in Memo dated 14.09.2016 to implement the orders of this Court dated 13.08.2002 and in compliance of the same, required pension papers were called for from the Principal, Dr.Abdul Haq Unani Medical College, Kurnool. The pension papers were received on 21.09.2016 and were sent to the Accountant General, A.P., Hyderabad, on 17.11.2016 for sanction of pensionary benefits. Now, the papers are with the Accountant General, A.P., Hyderabad. In the circumstances, the respondents have done their duty and it is for the Accountant General, A.P., Hyderabad, to sanction the pensionary benefits after scrutinizing the papers. Therefore, no further proceedings are warranted in the present Contempt Cases.

5. Accordingly, both the Contempt Cases are closed. It is hoped that the Accountant General, A.P., Hyderabad would process the pension papers of the petitioners as expeditiously as possible. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

25-11-2016

Gsn

NOTE: Mark a copy of the order to the
Accountant General, A.P., Hyderabad.

