

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.32216 OF 2016

ORDER:

The petitioner is the second wife of the deceased, Trimurthulu, who worked as Foreman Grade-II in Muchkund Hydro Electric (Joint) Scheme, Onukudelli. He expired on 22.03.2016, while he was in service. The name of the petitioner was entered in the service register. It is the case of the petitioner that the deceased married her after obtaining divorce from the first wife, fourth respondent, whose marriage was dissolved on 12.04.2006. She received an amount of Rs.3,00,000/- as full and final settlement. When she sought for payment of the retirement benefits, the official respondents did not release the same and in those circumstances, she got issued a notice through her counsel on 20.07.2016. When the same was not answered, the present writ petition is filed seeking a direction to the official respondents to appoint the petitioner under compassionate grounds and also ~~release~~ the retirement benefits.

The fourth respondent, who was the first wife of the deceased and fifth respondent, who is the daughter of the deceased, got themselves impleaded by order dated 27.11.2017 in W.P.M.P.No.29603 of 2017. They stated that they received Rs.3,00,000/- as full and final settlement at the time of dissolution of marriage on 12.04.2006 and they also entered into an Agreement of Compromise and as such, compromised the matter outside the Court. As per the said compromise, the petitioner should get the pension and the fifth respondent should get employment.

In view of the above compromise, it is open to the petitioner and the respondents 4 and 5 to submit a joint application to the respondents 2 and 3 for ventilating their grievance with regard to the compassionate appointment and payment of retirement benefits, and as and when respondents 2 and 3 receive such application, it shall be disposed of as

expeditiously as possible, but not later than eight weeks from the date of receipt of the said application.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

27.11.2017
pln

