

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE Dr.JUSTICE SHAMEEM AKTHER**

WRIT PETITION No.30780 of 2016

ORDER: (ORAL)

(Per Suresh Kumar Kait, J)

Vide the present petition, petitioner seeks direction, thereby directing the respondents to release gratuity amount of Rs.23,83,862/-, after withholding of Rs.19,16,138/-, being the rejected value of the work forthwith.

2. It is not in dispute that the petitioner herein filed O.A.No.2123 of 2016 before the A.P. Administrative Tribunal and sought direction, thereby directing the respondents to release all the pensionary benefits, including: 1) Death-cum-Retirement Gratuity (DCRG): Rs.12,00,000/- 2) Earned Leave/Half Leave encashment: Rs.15,00,000/-, 3) Commutation of pension: Rs.15,00,000/- and 4) Group Insurance Scheme: Rs.1,00,000/-, after withholding of an amount of Rs.19,16,138/-, being the rejected value of the work. The said O.A. was disposed of vide order dated 17.06.2016, by directing respondents 1 to 3 to draw and pay total Earned Leave/Half Pay Leave encashment amount as well as Group Insurance Scheme amount to the petitioner within two months of receipt of necessary applications/papers from the petitioner.

3. It is also not in dispute that family pension fund, i.e., an amount of Rs.11,033/- and an amount of Rs.96,572/- towards APGIS have

been paid to the petitioner on 28.01.2016 and 75% of the pension which amounts to Rs.39,679/- per month is being paid to the petitioner, vide proceedings dated 17.02.2016.

4. As far as General Provident Fund is concerned, vide order dated 31.10.2015, Hyderabad Metropolitan Water Supply & Sewerage Board (HMWSSB) had recommended to pay the amount and that amount shall be paid by the A.G.Office and moreover vide order dated 02.09.2015, HMWSSB had recommended for payment of APGLI amount and the said payment is to be made by the Joint Director, Directorate of Insurance Department. But the issue before this Court is that the petitioner has not received General Provident Fund and APGLI amount till date.

5. Since the directions issued by the Tribunal in O.A.No.2123 of 2016 vide order dated 17.06.2016 attained finality and the petitioner has not received the two heads mentioned above, therefore, in the interests of justice and while exercising power under Article 226 of the Constitution of India, we hereby direct the petitioner to make proper representation to the A.G.Office and the Joint Director, Directorate of Insurance Department regarding GPF and APGLI amounts respectively and the said authorities are directed to act upon the representation to be made by the petitioner within four weeks from the receipt of the said representation.

6. We hereby make it clear that, while making the representation, the petitioner shall attach certified copy of the order passed by this Court to the authorities mentioned above.

7. In view of the above directions, the petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions if any pending in the writ petition stand closed.

SURESH KUMAR KAIT, J

Dr.SHAMEEM AKTHER, J

June 1, 2017
MRR

