

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.14418 OF 2017

DATED : 21.04.2017

Between :

Syed Khaja Moinuddin S/o.Late Syed Jalaluddin,
Aged about 61 yrs, Occu : Forest Range Officer (Rtd),
Formerly Kothagudem Division, Khammam Circle,
R/o.H.No.11-23-987, Islampura, L.B.Nagar,
Warangal – 506 002.

..

Petitioner

And

State of Telangana,
Rep., by its Principal Secretary to Govt.
Environment, Forests, Science & Technology Department,
Telangana Secretariat, Hyderabad-500 022 & others.

Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.14418 OF 2017

ORDER :

Heard.

2. Learned counsel for the petitioner submits that disciplinary proceedings are pending against the petitioner. However, so far he is not paid provisional pension as required by Rule 52 of the Andhra Pradesh Revised Pension Rules, 1980 (for short 'the Pension Rules'). If what is contended by learned counsel for the petitioner is true, the same would amount to arbitrary exercise of power. Whenever, an employee is retired from service, but disciplinary proceedings are pending against such employee, he is entitled to payment of provisional pension as required by Rule 52 of the Pension Rules.

3. Having regard to the above, the respondents are directed to forthwith release the provisional pension as per the entitlement of the petitioner, if not already paid and the disciplinary proceedings are not concluded so far. The amount shall be paid within a period of four (4) weeks from the date of receipt of copy of this order. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

21st April, 2017
Rds

P.NAVEEN RAO,J