

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.40450 OF 2016

DATED : 25.01.2017

Between :

U.V.Krishna Rao S/o.Late Adinarayana Rao,
Hindu, Aged about 85 yrs,
Occu :Retired Court Master (High Court of A.P),
R/o.H.No.7-102/35A, Second Lane,
Sai Enclave, Habsiguda,
Hyderabad, Ranga Reddy District now changed
As Medchal-Malkajiri District.

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Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary Finance (HRM-V),
Department, Secretariat, Hyderabad & another.

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Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.40450 OF 2016

ORDER :

Petitioner challenges the proceedings of the 2nd respondent in PRE98/REV CELL/2014-15/183077 dated 24.08.2016 denying revision of pension as per the Government Order in G.O.Ms.No.98 Finance (HRM-V) Department, dt.08.07.2015 as illegal, arbitrary and unconstitutional and contrary to the judgment of Supreme Court of India dt.30.04.2014 in Civil Appeals No.5376-5368 of 2005 and consequently direct the respondents to admit the pay revision and pay the arrears of amounts thereof forthwith.

2. Heard learned counsel for the petitioner and learned Standing counsel for the 2nd respondent.

3. In substance the grievance of the petitioner is that though the calculation of pension should be based on 50% of the last pay drawn, erroneously, 50% of the lay pay drawn was treated as Rs.1515/- whereas he was entitled to Rs.1535/-.

4. Learned Standing counsel representing the 2nd respondent produced proceedings dated 30.12.2016 addressed to the Registrar (Administration), revising the amount from Rs.1515/- to Rs.1535/-.

5. In view of the letter addressed by the Accountant General, dated 30.12.2016, the grievance of the petitioner does not survive.

6. Having regard to the above, the writ petition is disposed of. However, it is needless to observe that because of

erroneous calculation less amount was determined and paid than what the petitioner is entitled to. Thus, the authorities concerned shall take immediate steps to release the amounts due and payable to the petitioner as per the letter of Accountant General dated 30.12.2016 as expeditiously as possible, at any rate within 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.

25th January, 2017
Rds

P.NAVEEN RAO,J

