

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.39782 OF 2017

ORDER:

The first petitioner is the wife of one Village Revenue Officer worked in Onnajipet Village, Sirikonda Mandal, Nizamabad District. The second petitioner is her son.

The case of the first petitioner is that her husband was initially appointed as Panchayat Secretary, Gram Panchayat, Mahantam of Navipet Mandal, on 31.12.2001 and during the course of employment, he was kept under suspension on 28.05.2004 on allegations of misappropriation and ultimately, he was removed from service on 30.04.2006 by the orders of the third respondent. Against the said order, when the husband of the first petitioner preferred an Appeal to the second respondent, the second respondent allowed the Appeal and ordered reinstatement of the husband of the first petitioner to duty by reducing the punishment of removal to that of two annual grade increments with cumulative effect. He was reinstated into service on 25.06.2008 and later on, he retired on attaining age of superannuation on 31.12.2010. Thereafter, he died on 10.05.2017. The first petitioner made representations to the respondents to settle the retirement benefits of the husband of the first petitioner treating the suspension period as admissible leave. When no action is taken on the said representations, the present writ petition is filed challenging the action of the respondents in not passing any orders.

As per the affidavit filed in support of the writ petition, the first petitioner submitted a representation on 10.07.2017 through the District Revenue Officer, Nizamabad and further representations to the respondents 4 and 5 to settle the retirement benefits of the husband of the

first petitioner. Since the said representations are pending, this Court is not inclined to entertain the present writ petition.

In the circumstances, the third respondent is directed to consider the representation of the first petitioner dated 10.07.2017 and pass appropriate orders thereon within a period of three months from the date of receipt of a copy of this order.

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

28.11.2017
pln

A.RAMALINGESWARA RAO, J

