

**THE HON'BLE SRI JUSTICE M.GANGA RAO**

**WRIT PETITION No19659 OF 2007**

**ORDER:**

This Writ Petition is filed seeking to declare the impugned order No.112/4339/85-FF (HC), dt.15.06.2007 passed by the 1<sup>st</sup> respondent cancelling the pension sanctioned to the petitioner herein under Swatantrata Sainik Samman Pension Scheme, 1980 (for short 'the Scheme'), as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India.

2. The petitioner is a freedom fighter, who participated in Freedom Struggle. He was sanctioned pension under the Scheme vide sanction Order No.12/528/87-FF-HC dated 23.10.1989 and accordingly, he was drawing the pension. While so, the 1<sup>st</sup> respondent issued the impugned notice cancelling the pension sanctioned to the petitioner on the ground that co-prisoner certificate issued by the petitioner in favour of one Kuturu Veera Rao was found to be false. Pursuant to the said show cause notice, the petitioner submitted his explanation on 30.06.2007. But, so far no orders have been passed thereon. Hence, the present writ petition.

3. While admitting the writ petition, this Court granted interim suspension on 24.09.2007 in WPMP No.25347 of 2007.

4. Heard both sides and perused the material on record.

5. It is brought to the notice of this Court that in similar circumstances, this Court disposed of W.P.No.12376 of 2011 vide

order dated 22.12.2016 and the operative portion of the said order reads as under:

“ On the other hand, learned counsel representing the Central Government would submit that the enquiry has been conducted but order could not be passed because of the pendency of the writ petition before this Court. In that view of the mater, without going into the merits of the case and having regard to the submissions made, the writ petition is disposed of directing the respondent authorities to pass final orders in accordance with law, if not already passed. Till such time, the respondents shall pay the pension to the petitioner, if he is being paid during the pendency of the writ petition.”

6. Following the same, this Writ Petition is also disposed of in terms thereof.

7. Miscellaneous petitions pending in this petition, if any, shall stand closed. There shall be no order as to costs.

12<sup>th</sup> March, 2018  
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(M.GANGA RAO, J)

Note : Copy of the order dated 22.12.2016  
passed in W.P.No.12376 of 2011  
be annexed to this order.  
B/o.sur