

THE HON'BLE SRI JUSTICE P.KESHA VA RAO

WRIT PETITION No.11922 OF 2015

ORDER:

Heard the learned counsel appearing for the petitioner as well as the learned Assistant Solicitor General appearing for the respondents 1 and 2.

The prayer sought for in the writ petition is as under:

“to issue a writ order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the inaction on the part of the respondents in rejecting the freedom Fighter Pension of the petitioner on the ground that the revised policy guidelines issued under Letter F. No.45/03/2014-FF(P) dated 6-8-2014 is illegal, arbitrary, and unconstitutional and consequently direct the respondent herein to consider the application of the petitioner for claim of the Freedom Fighter Pension irrespective of the guidelines dated 6-8-2014”.

The specific case of the petitioner is that the application submitted by him for grant of pension under the Swatantrata Sainik Samman Pension Scheme, 1980 is not considered and the same is rejected by the first respondent on the ground that the application is not forwarded in compliance with the guidelines framed under the scheme i.e. not routed through the State Government.

Even in the counter affidavit filed by the respondents 1 and 2, it is mentioned that no claim from the petitioner with mandatory verification report and application with the supporting documents has been received from the concerned State Government. Therefore, no cognizance of the claim of the petitioner could be taken by the respondents 1 and 2. Based on the same, the learned counsel appearing for the petitioner seeks permission of this Court to

grant liberty to the petitioner to process the application through the State Government.

In view of the above, this Court is of the opinion that no further orders are required and accordingly, the writ petition is closed. However, the petitioner is given liberty to file a fresh application in compliance with the regulations made under the said scheme. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

30th NOVEMBER 2018.
Tsr

P.KESHA VA RAO,J

