

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.19143 OF 2006

ORDER:

Challenging the action of the respondents in not considering the representations of the petitioners for awarding them pension under Swatantra Sainik Samman Pension Scheme, 1980 (for short, the Scheme), the present writ petition is filed.

2. During the pendency of the writ petition, petitioner Nos.6 and 8 died and, hence, the writ petition is dismissed as against them.

3. It is the case of petitioner Nos.1 to 5, 7 and 9 that they are freedom fighters and they participated in the freedom movement during 1947-48 for liberation of the Nizam State; that they are eligible for pension under the Scheme; that they have requested the respondents for granting of pension under the said Scheme and that though concerned Mandal Revenue Officer has recommended the case of the petitioners, respondent No.3, the concerned District Collector, did not pass the orders.

4. The learned Assistant Solicitor General has contended that the petitioners have not complied with the requisites under the Scheme; that there is no recommendation from the Government of India in respect of the petitioners and that they have not filed any evidence to show that they fall within the category of the Scheme to avail the pension.

5. In the circumstances, the writ petition is disposed of directing petitioner Nos.1 to 5, 7 and 9 to approach the concerned District

Collectors along with evidence and make their representations as contemplated under the Scheme, within a period of four weeks from today. Upon the same, the District Collectors shall personally verify the evidence produced by petitioner Nos.1 to 5, 7 and 9 and pass orders, within a period of two months thereafter, recommending the names of petitioner Nos.1 to 5, 7 and 9 for pension under the Scheme, if they found eligible. No costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Date: 19-02-2018
TJMR

T.AMARNATH GOUD, J

