

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.1521 OF 2007

ORDER

This writ petition is filed seeking to issue a Writ of Mandamus declaring the action of the respondents in not considering the case of the petitioner for Swatantra Sainik Samman Family Pension, as illegal and arbitrary, and consequently to direct the respondents to forward the sanction order to the petitioner under the said scheme.

Heard Sri A.Suryanarayana and learned Standing Counsel appearing for the Central Government.

Learned counsel appearing for the petitioner submits that during pendency of the writ petition, the case of the petitioner was considered and it was rejected *vide* order dated 11.4.2007. Learned counsel further submits that in spite of his advice to the petitioner that an amendment application has to be moved challenging the said rejection order, no steps have been taken to get the prayer amended nor separate proceedings challenging the said rejection order dated 11.4.2007 have been filed.

In view of the same, the cause in the writ petition does not survive for adjudication and it has become infructuous.

Accordingly, the Writ Petition is dismissed as infructuous. However, liberty is given to the petitioner to challenge the said rejection order dated 11.4.2007, in an appropriate forum, as per law, if he so chooses. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

4th April, 2018
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