

THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.25038 OF 2007

ORDER:

This Writ Petition is filed seeking to declare the impugned order No.112/4323/97-FF (HC), dt.20.06.2007 passed by the 1st respondent cancelling the provisional 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. She was sanctioned pension under the Scheme vide sanction Lr.No.112/4323/97-FF (HC) (C) dated 23.02.2004 w.e.f.15.01.2004 and accordingly, she was drawing the pension. While so, the 1st respondent issued the impugned notice cancelling the pension sanctioned to the petitioner on the ground that in view of the enquiry conducted by the District Collector, Khammam, it was clear that the petitioner had produced false and fabricated voters list for the year 1995 by manipulating her age as (64) years instead of (50) years. Questioning the same, the petitioner filed the present writ petition.

3. While admitting the writ petition, this Court granted interim suspension on 26.11.2007 in WPMP No.32601 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.13262 of 2007 &

batch vide order dated 05.07.2017 and the operative portion of the said order reads as under:

“ Without going into the other aspects of the matter, these writ petitions are disposed of, keeping it open for the 1st respondent herein to proceed further with the enquiry pursuant to the impugned orders and to pass appropriate orders after affording opportunity of hearing at the time of consideration to the petitioners. Till such exercise attains finality, the interim orders granted by this Court shall continue to operate for payment of the pension.”

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.

6th April, 2018
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Note : Copy of the order dated 05.07.2017
passed in W.P.Nos.13262 of 2007 & batch

B/o.sur

(M.GANGA RAO, J)

