

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

W.P.NO.30669 OF 2012

ORDER:

This writ petition is filed by the petitioners, who are the daughters of the freedom fighter, seeking a direction to the respondents to release the Central Freedom Fighters Pension to them under SSSPS, 1980.

2. The father of the petitioners by name I.Shankar was a freedom fighter and he applied for Central Freedom Fighters Pension to the first respondent in File No.112/6415/86-FF (HC). During the process of the same, he died and the mother of the petitioners also died while pursuing the same. Thereafter, the second respondent vide his letter in No.25156/FF-III/2010, dated 03.09.2010, addressed to the Joint Secretary to Government of India, Ministry of Home Affairs (FF-Division), Lok Nayak Bhavan, Khan Market, New Delhi, stated that the petitioners are the unmarried daughters and dependants of the freedom fighter and requested to take necessary action for sanction of Freedom Fighters Pension to the petitioners. Despite the same, when the respondents did not take any action, the petitioners filed the present writ petition.

3. The first respondent filed a counter-affidavit stating that it has requested the second respondent vide letter No.112/6415/86-FF (HC), dated 07.11.2012, to verify the matter and send verification report, under intimation to the petitioners, and that the verification report from the second respondent is still awaited in

spite of reminder of even number dated 03/05.09.2013 issued to the second respondent.

4. In pursuance of the recommendation made by the second respondent vide his letter dated 03.09.2010, the query made by the respondents in the year 2013 does not survive, as the recommendation of the second respondent falls for consideration for making a positive decision by the concerned authorities. It is very unfortunate that in the cases like this, the officers of the State and Central Governments cannot put the legal heirs of the freedom fighters to hardship, as the same amounts to disrespect to the freedom fighters.

5. In view of the above, this Writ Petition is disposed of directing the respondents to complete the formalities and pass appropriate orders for sanctioning the Freedom Fighters Pension in the light of the recommendation made by the first respondent vide his letter in No.25156/FF-III/2010, dated 03.09.2010, within a period of two months from the date of receipt of a copy of this order. It is made clear that any circulars or regulations/guidelines issued subsequent to the year 2010 will not come in the way of considering the case of the petitioners. No order as to costs. As sequel, the miscellaneous petitions pending if any shall stand closed.

T.AMARNATH GOUD, J

Date: 19-12-2018
TJMR

