

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.6195 of 2019

ORDER:

This Writ Petition is filed by the petitioner seeking her deceased husband's pensionary benefits. The grievance of the petitioner is that though her husband was retired on medical grounds on 13-06-1991 and expired on 07-08-2015, the respondents have not settled the pensionary benefits on the ground that some disciplinary cases were pending against her husband and the her husband was drawing provisional pension.

2. Heard Sri D.Balakishan Rao, learned counsel for the petitioner and Sri T.Chandrasekhar Rao, learned Standing Counsel for 1st respondent.

3. Learned counsel for the petitioner contends that during the lifetime of petitioner's husband, the respondents have not passed any orders. However, after expiry of the petitioner's husband, the respondents have imposed punishment of 50% cut in pension vide G.O.Rt.No.262, dated 25-03-2019. The petitioner has pointed out that the 1st respondent-Commissioner, Mahabubnagar Municipality, Mahabubnagar, had forwarded the pension papers to the 4th respondent-Accountant General, Hyderabad, for release of the remaining 50% of the pensionary benefits to the petitioner. Therefore, he contends that on the proposals submitted by the 1st respondent, let

the 4th respondent sanction the pensionary benefits in favour of the petitioner and in respect of balance 50% cut in pension is concerned, the petitioner be given liberty to challenge the same before the appropriate Court.

4. This Court, having considered the rival submissions made by both the parties, is of the considered view that the pension proposals submitted by the 1st respondent to the 4th respondent be processed and pensionary benefits of the petitioner's husband be paid to the petitioner in accordance with Rules and in respect of 50% cut in pension is concerned, liberty is given to the petitioner to challenge the same in accordance with law.

5. With the above observations, the Writ Petition is disposed of. No costs.

6. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 16-04-2019
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