

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.7437 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“.... to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not considering my case for counting of service from August, 1978 for the purpose of pension and other benefits and not disposing of my representation, dated 8.9.2015 is wholly illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India and consequently declare that the petitioner is entitled for counting of service from August 1978 for the purpose of pension and other pensionary benefits”.

Heard Mr.Ravi Kondaveeti, learned counsel for petitioner and the learned Government Pleader for Services-II.

It has been contended by the petitioner that initially he was appointed as NMR worker during the year 1978 and after rendering considerable length of service, his services were regularized with effect from 10.02.1999 vide G.O.Pt.No.240, dated 10.02.1999. Later on, he was further promoted and finally he retired from service on attaining the age of superannuation on 31.08.2016.

The grievance of petitioner is that the earlier service rendered by him on NMR basis from August 1978 till 10.02.1999 is not being counted for the purpose of pensionary benefits. To that effect, the petitioner has submitted a representation to the respondents on 12.07.2016 to the Minister of Endowments, who in turn, forwarded the said representation to the 2nd respondent.

Learned counsel for the petitioner has contended that the earlier service rendered by the petitioner on NMR basis has to be counted for the purpose of pensionary benefits in terms of Rule 13 of the A.P. Revised Pension Rules, 1980. To that effect, the petitioner has submitted a representation on 08.09.2015. But, the 2nd respondent has not passed any orders on the representation submitted by the petitioner. Therefore, appropriate orders be passed in the writ petition directing the 2nd respondent to pass appropriate orders on the representation submitted by the petitioner.

Learned Government Pleader appearing for respondents has contended that the case of the petitioner will be considered and appropriate orders would be passed in accordance with law on the representation submitted by the petitioner.

This Court, having considered the rival submissions, is of the considered view that the writ petition can be disposed of directing the 2nd respondent to consider the representation submitted by the petitioner on 08.09.2015 and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of.
No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 09-04-2019
Prv

