

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.15266 of 2019

ORDER

This Writ Petition is filed seeking the following relief:

“ to issue an order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in returning the pension proposals with a direction to submit proposals for provisional pension by issuing impugned Proceedings Rc.No.1836/A3/Ser. Pension/2019, dated 29.06.2019 of the 1st respondent as illegal, arbitrary, unjust, unfair, contrary to the rules and violation of Constitutional provisions and consequently direct the respondents to forward petitioner's pension proposal submitted on 13.5.2019 to the 5th respondent for sanction and release of pension and pensionary benefits from the date of retirement and to pass such other order or orders as this Hon'ble Court may deem fit and proper.”

Heard Sri C.Sai Reddy, learned counsel appearing for the petitioner, and learned Government Pleader for Services-I appearing for the respondents.

The grievance of the petitioner is that though he retired from service as Head Master on 30.06.2019, so far, the respondents have not forwarded his pension proposals to the 5th respondent for sanction of pension.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing

the 1st respondent to forward pension proposals of the petitioner to the 5th respondent so as to enable the 5th respondent to sanction his pension.

Learned Government Pleader appearing for the respondents contended that since the petitioner had filed O.A.No.1039 of 2010 before the then Andhra Pradesh Administrative Tribunal, Hyderabad and the same is still pending in the form of WP(TR) No.2079 of 2017, the 1st respondent is not in a position to forward pension proposals to the 5th respondent. It is further contended that since WP(TR)No.2079 of 2017 is closed today, the case of the petitioner would be considered and the 1st respondent would forward pension proposals of the petitioner to the 5th respondent within a reasonable period.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that this Writ Petition can be disposed of directing the 1st respondent to submit pension proposals of the petitioner to the 5th respondent within a period of four weeks from the date of receipt of a copy of this order. On receipt of such proposals, the 5th respondent shall consider the same and sanction pension to the petitioner within a period of eight weeks thereafter, in accordance with the Rules.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 13.12.2019

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