

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.24300 OF 2019

ORDER

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 or any other appropriate writ (i) to grant and release the Family Pension and Pensionary benefits to the petitioner by revising and refixing the same as per the Pay Revision Commission recommendations of the years 1996, 2006, and 2016 with effect from 16.04.1992 with arrears of the Family Pension and interest till today and to grant and release the pensionary benefits such as commutation of pension, encashment of leave and any other service benefits of the petitioner's husband late Sri S.Krishna Murthy with interest as per the compromise decree passed in O.P.No.1034 of 2012, dated 08.10.2015 and declare the action of the respondents is highly arbitrary, illegal, unconstitutional in not revising and refixing the Family Pension as per the PRC Recommendations 1996, 2006 and 2016 and pensionary benefit to the petitioner contrary to the Pension Rules and the law (ii) and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice warrant as otherwise the petitioner will suffer with great loss.”

Heard Sri P.Sudheer Rao, learned counsel appearing for the petitioner, and learned Government Pleader for Services-I appearing for the respondents 1 to 3.

It is the case of the petitioner that her husband was employed as Lecturer in the 4th respondent-College. While in service, her husband expired on 15.4.1992. Thereafter, family

pension was granted to her. But the said family pension has not been revised as per the Pay Revisions of 2006 and 2016. When the respondents are not revising the pension as per the Pay Revisions of 2006 and 2016, the petitioner submitted a representation dated 18.10.2019. But, so far, no orders have been passed.

Learned counsel appearing for the petitioner submits that appropriate orders be passed in the writ petition by directing the respondents to consider the representation dated 18.10.2019 submitted by the petitioner.

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

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the respondents to consider the case of the petitioner for revision of family pension by duly passing orders on the representation submitted by the petitioner on 18.10.2019 within a period of eight weeks from the date of receipt of a copy of this order.

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

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 6.11.2019
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