

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.26765 of 2019

ORDER

This writ petition is filed seeking the following relief:

“...to issue a writ, order or direction one more particularly in the nature of Writ of Mandamus declaring the action of the respondents not granting the pension and retirement benefits of the petitioner after retirement as Assistant Engineer on 30.06.2014 in the name of the enquiry initiated in the year 2000 against the petitioner as illegal, arbitrary and unconstitutional being violative of principals of natural justice and consequently direct the respondents to close the enquiry initiated against the petitioner in the year 2000 and release the monthly family pension and retirement service benefits by way of considering the explanation dated 19.04.2018 given by the petitioner and pass such other order or orders may deem fit and proper in the circumstances of the case.”

Heard Sri M.A.K.Mukheed, learned counsel appearing for the petitioner and Learned Government Pleader for Panchayat Raj appearing for the respondents.

The petitioner is a retired Assistant Engineer. His grievance is that though he has retired on 30.6.2014, the respondents are not settling his pension and pensionary benefits on the ground that disciplinary proceedings are pending against him. Even after retirement, the respondents are not concluding the disciplinary proceedings said to have been initiated against him in the year 2000. Hence, the petitioner submitted a representation on 01.05.2019 seeking to conclude the disciplinary proceedings initiated against him and to release the pensionary benefits. But so far no orders have been passed thereon.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation dated 01.05.2019 submitted by the petitioner.

Learned Government Pleader appearing for the respondents contended that since the representation dated 01.05.2019 submitted by the petitioner is pending with the respondents, the respondents would consider the same and pass appropriate orders 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 representation dated 01.05.2019 submitted by the petitioner 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.

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

Miscellaneous petitions, pending, if any shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 04.12.2019
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