

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.28805 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 declaring the acts of the respondents in not considering the case of the petitioner in payment of pensionary benefits not releasing the amounts of Death-cum-Retirement Gratuity to the petitioner as well as not considering representation of the petitioner dated 16.12.2019 made to the respondents as illegal, arbitrary and against the principals of natural justice and violation of the Articles 14, 16 and 21 of the Constitution of India and consequentially direct the respondents to pay the pensionary benefits as well as the amounts of Death-cum-Retirement Gratuity to the petitioner and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard Sri S.Sreenivasa Sarma, learned counsel appearing for the petitioner, and learned Government Pleader for Services-I appearing for the respondents.

It is the case of the petitioner that he was employed as Driver with the respondents and on attaining the age of superannuation, he retired from service on 31.01.2010. Though he retired from service almost 19 years back, the respondents are not paying pensionary benefits and death-cum-retirement gratuity. Hence, he submitted a representation dated

16.12.2019 to the respondents. But, so far, no orders have been passed on the said representation.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation dated 16.12.2019 submitted by the petitioner.

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

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 respondents to consider the representation dated 16.12.2019 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, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 30.12.2019
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