

HONOURABLE SRI JUSTICE N.V. SHRAVAN KUMAR

WRIT PETITION(TR) No.3484 of 2017

ORDER:

This Transfer writ petition has been filed seeking to declare the action of the respondents in not sanctioning and paying the interest on retirement gratuity for the delayed period of 2 years 2 months, though respondent No.2 recommended and consequently direct the respondents to sanction and pay interest 12 per annum on retirement gratuity for the delayed period as was done in the case of similarly situated persons in Govt Memo No.3/Vig II1/200137, dated 18.12.2007 in terms of rule 46(1A) of Revised pension rules 1980.

2. Today when the matter has been taken up for hearing, learned counsel for the petitioner submits that the then Andhra Pradesh Administrative Tribunal (for short 'the Tribunal') in OA No.1666 of 2015 on 06.04.2015, passed the following order:

"Pending disposal of the O.A., the first respondent is directed to pass orders on the recommendations made by the second respondent vide letter No.P(3)4056/2012, dated 15.11.2012 in terms of Sub Rule (1A) of Rule 46 of the A.P.Revised Pension Rules, 1980, keeping in view the Government memo No.3/Vig.II(1)/2001-37, dated 18.12.2007, within a period of four weeks from the date of receipt of a copy of this order."

3. Learned counsel for the petitioner submits that even though the Tribunal passed interim order dated 06.04.2015 in OA No.1666 of 2016, the respondent authorities had not passed orders on the recommendations made

by the respondent No.2 and prays this Court to dispose the writ petition directing the respondent authorities to pass appropriate orders in terms of the interim order passed by the Tribunal.

4. On perusal of record, no counter-affidavit is filed by the respondents to deny the facts stated by the petitioner.

5. Having regard to the facts and circumstances of the case, this writ petition is disposed of directing the respondent authorities to pass appropriate orders on the recommendations made by the respondent No.2, vide letter No.P(3)4056/2012, dated 15.11.2012 in terms of Sub Rule (1A) of Rule 46 of the Revised Pension Rules, 1980, keeping in view the Government Memo No.3/Vig.II(1)/2001-37, dated 18.12.2007, strictly in accordance with law, within a period of four (4) weeks from the date of receipt of copy of this order and communicate the same to the petitioner.

6. Accordingly, the writ petition is disposed of. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

N.V.SHRAVAN KUMAR,J

Date: 28.11.2022
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