

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.18526 OF 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Standing counsel for the Central Government.

This writ petition is filed seeking the following relief :-

“.....writ of mandamus declaring the action of the respondents in not considering the claim of the petitioner for grant of pension under Swatantrata Sainik Samman Pension Scheme to the widows of the deceased freedom fighters pensioners as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents to grant pension to the petitioner from the date of death of petitioner's husband Jaladi Narayana as per the said scheme and pass such other”

It has been contended by the petitioner that her husband was a freedom fighter and he was granted pension under Swatantrata Sainik Samman Pension vide order dated 16.12.1992 w.e.f 01.08.1980. Petitioner further contends that her husband expired on 29.02.2012 and after expiry of her husband, she has submitted an application to respondents on 19.04.2015 for sanction of dependant pension in her favour. But so far, the respondents have not passed any orders on the said application nor sanctioned dependant freedom fighter's pension in her favour.

Therefore, learned counsel for the petitioner contends that appropriate orders be passed in this writ petition directing the respondents to consider the application of the petitioner dated 19.04.2015 and pass appropriate orders within a reasonable period of time.

Learned Standing counsel appearing for the respondents contends that since the application of the petitioner is pending with the respondents, the respondents would consider the same and pass appropriate orders within a reasonable period of time.

This Court, having considered the rival submissions of the learned counsel appearing for the respective parties is of the considered view that this writ petition can be disposed of directing the respondents to consider the application submitted by the petitioner on 19.04.2015 and pass appropriate orders in accordance with law within eight (08) weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 20-02-2020
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