

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.22477 of 2014

ORDER:

There is no representation on behalf of the petitioner.

2. The prayer sought in the writ petition is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus by declaring the action of the respondents as illegal, arbitrary, unconstitutional and violation of natural principal of justice in denying to cease the Pass Port, Arrest and keeping in abeyance the process of the Resignation of the husband of the petitioner by name Ritesh Kumar S/o Kedharnath Prasad Scientist-'C', DLRL (Defense Electronics Research Laboratory) Near Chandrayan Gutta, Hyderabad, before the husband of the petitioner leaves India to abroad, by producing him before this Hon'ble Court, till the matrimonial matters will be settled with petitioner and pass such other order or orders as Hon'ble Court deemed fit and proper.”

3. On 01.09.2014, this Court adjourned the matter enabling the writ petitioner to lodge a complaint with the police as the learned Government Pleader has been furnished instructions that there is no such complaint lodged by the petitioner with the police. Thereafter, the petitioner has not brought to the notice of this Court as to whether, in compliance with the above such order, any fresh complaint is lodged with the second respondent or not. On 06.01.2020, there was no representation on behalf of the petitioner. Therefore, the matter was directed to be listed today under the caption 'for dismissal'. In spite of the matter being listed today under the caption 'for dismissal', yet again, there is no representation on behalf of the petitioner.

4. Learned Assistant Solicitor General of India appearing for respondents 2 and 3 placed on record the letter dated 07.01.2020

addressed by the Administrative Officer for Director, Government of India, Ministry of Defence.

5. From the perusal of the said letter, it is revealed that the husband of the petitioner submitted an application on 16.07.2014 for resignation citing personal reasons. The petitioner herein submitted another representation on 27.07.2014, which was received by the second respondent on 05.08.2014 through post. On scrutiny of records, the writ petitioner's name was not mentioned in the service records of her husband and the husband of the writ petitioner did not inform his marriage declaration. It is also further mentioned that the same would be communicated to the petitioner but the second respondent office could not find her address and that on 25.11.2014 the headquarters approved the resignation of Mr.Ritesh Kumar i.e., the husband of the writ petitioner and consequently, on 22.12.2014, he was relieved from his services with effect from the said date.

5. In that view of the matter, the writ petition is dismissed for non-prosecution, on both the counts. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE P.KESHAVA RAO

Date:07.01.2020

PGS