

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.Nos.27646 and 27651 of 2018

COMMON ORDER

Heard learned counsel on either side.

Since the issue involved in both the writ petitions is one and the same, they are heard together and disposed of by way of this common order.

For the sake of convenience, the facts in W.P.No.27646 of 2018 are discussed hereunder.

W.P.No.27646 of 2018 is filed seeking the following relief:

“to issue a writ or order or directions more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not paying the Freedom Fighters Pension to petitioner being the spouse of Late Bojedla Veeraiah S/o Venkataiah, Freedom Fighter who was sanctioned the Freedom Fighters Pension, who died on 31.3.1991 in spite of several representations dt 13.03.2010 and 08.08.2017 as bad, arbitrary, illegal and unconstitutional and consequently direct the respondents to sanction and pay the Freedom Fighters Pension to petitioner being the spouse of Late Bojedla Veeraiah S/o Venkataiah with effect from 31.3.1991 and pass such or other order as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

It is the case of the petitioner that her husband was a freedom fighter and he applied for pension under freedom fighters pension scheme. After enquiry, the 1st respondent has sanctioned the said pension and her husband received till his

death i.e., on 31.3.1991. Thereafter, the respondents have stopped the said pension. Hence, the petitioner has submitted an application to the respondents to grant dependant freedom fighters pension. The Revenue Administration has also recommended the case of the petitioner and forwarded proposals to the Union of India-1st respondent. But the 1st respondent neither considered the case of the petitioner nor granted dependant freedom fighters pension.

Learned counsel appearing for the petitioners contended that appropriate orders be passed in both the writ petitions directing the 1st respondent-Union of India to consider the cases of the petitioners for dependant freedom fighters pension.

Learned Assistant Solicitor General appearing for the 1st respondent contended that since the applications of the petitioners are pending with the 1st respondent, the 1st respondent 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 Court is of the considered view that both the writ petitions can be disposed of directing the 1st respondent-Union of India to consider the applications of the petitioners for grant of dependant freedom fighters

pension 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, both the Writ Petitions are disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

Date: 24.02.2020
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JUSTICE ABHINAND KUMAR SHAVILI

