

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.42241 OF 2017

ORDER:

Heard Sri K.Prabhakar Rao, learned counsel for the petitioner and the learned Assistant Solicitor General and the learned Government Pleaders for respondents.

This writ petition is filed seeking the following relief :-

“.....WRIT OF MANDAMUS to declare the inaction of the respondents 1 and 2 in sanctioning the pension in favour of petitioner's husband vide application in File No.112/944/97 and to implead petitioner as applicant in File No.112/944/97 despite the recommendation of AP State and Special Screening Committee as illegal, arbitrary, unconstitutional, against the principles of natural justice and violation of the Swatantra Sainik Sanman Scheme, 1980 and consequently direct the respondents to sanction of Freedom Fighter pension to the petitioner and to pass such other.....”

It has been contended by the petitioner that her husband was a freedom fighter and that he made an application to the respondents for grant of pension under Swatantra Sainik Sanman Scheme, 1980. The petitioner further contends that before the pension was sanctioned to her husband, he expired on 17.05.2005. Thereafter, petitioner had submitted representations on 22.06.2005 and 25.09.2017. But so far, the respondents have not passed any orders on the said representations.

Therefore, learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the respondents to consider the representations submitted by the

petitioner on 22.06.2005 and 25.09.2017 and pass appropriate orders in accordance with law.

Learned Assistant Solicitor General as well as the learned Government Pleaders appearing for the respondents had contended that case of the petitioner would be considered and appropriate orders would be passed in accordance with law.

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 representations submitted by the petitioner on 22.06.2005 and 25.09.2017 and pass appropriate orders in accordance with law within a period of eight (08) weeks from the date of receipt of a copy of this order.

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

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 06-02-2020
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