

THE HON'BLE Dr. JUSTICE G. RADHA RANI

WRIT PETITION Nos.38506 OF 2012 and 1019 OF 2021

% 08.07.2022

WP No.38506 of 2012:

Mekala Lakshmaiah S/o. Odelu
Aged about 87 years, Occ: Agriculture,
R/o. Anthergoan (TTS) village of Ramagundam
Mandal, Karimnagar District (died) per L.R.
Smt. Mekala Lakshmi W/o. Lakshmaiah.

.... Petitioner

Vs.

\$ The Government of India,
Ministry of Home Affairs (Freedom Fighter Division)
Locknayak Bhavan, Khan Market, New Delhi,
Rep. by its Deputy Secretary and another.

..... Respondents

WP No.1019 OF 2021:

Smt. Mekala Lakshmi W/o. Late Lakshmaiah.
Aged about 87 years, Occ: Agriculture,
R/o. Anthergoan (TTS) village of Ramagundam
Mandal, Karimnagar District

.... Petitioner

Vs.

\$ The Government of India,
Ministry of Home Affairs (Freedom Fighter Division)
Locknayak Bhavan, Khan Market, New Delhi,
Rep. by its Deputy Secretary and another.

..... Respondents

!Counsel for the Petitioners : Sri A. Ravinder

Counsel for the Respondents : N. Rajeswara Rao
G. Raukmini
Government Pleader for Revenue

<Gist :

>Head Note:

? Cases referred:

- 1) ILR 2016 5 HP 1028
- 2) 2001 (8) SCC 8
- 3) 1993 Supp (3) SCC 2

THE HON'BLE Dr. JUSTICE G. RADHA RANI**WRIT PETITION Nos.38506 OF 2012 and 1019 OF 2021****COMMON ORDER:**

Writ Petition No.38506 was filed by the petitioner to issue a writ of mandamus to declare the rejection order for grant of Freedom Fighter Pension vide proceedings No.112/4140/97-FF(HC), dated 31.10.2012 passed by the 1st respondent, as illegal and contrary to Article 14 of the Constitution of India and consequently to direct the respondents to sanction the Freedom Fighter Pension under Swatantrata Sainik Samman Pension Scheme, 1980 (for short 'SSS Scheme, 1980')

2. W.P. No.1019 of 2021 filed by the petitioner to declare the proceedings passed by the 1st respondent in F.No.52/CC/100/2012-FF(HC), dated 09.12.2020 in not extending the benefit of dependent family pension to the petitioner on account of the death of her husband freedom fighter, who was receiving freedom fighter pension, as illegal and contrary to the law and against the principles of natural justice and consequently to direct the 1st respondent to grant dependant family pension under SSS Yojana, 1980 to the petitioner forthwith as extended to her husband.

3. Heard the learned counsel for the petitioners and the learned Standing Counsel for the Central Government.

4. Learned counsel for the petitioner in WP No.38506 of 2012 submitted that the petitioner in WP No.38506 of 2012 died on 01.09.2019 (hereinafter referred to as “deceased petitioner”), and his wife filed I.A. No.1 of 2020 to bring her on record as the legal representative of the deceased petitioner. The deceased petitioner participated in the freedom movement continued in Hyderabad State against the Nizam Government during the period 1947-48 for liberation of Hyderabad State and merger into the Union of India. The then Nizam Government issued detention orders against the deceased petitioner. To avoid arrest, the deceased petitioner went to the border camp and participated in Hyderabad liberation movement and remained underground for more than six months. Initially, he went to the border at Chanda camp under the leadership of Late Sri K.V. Narsinga Rao and subsequently, shifted from Chanda Camp to Siruvancha Camp under the leadership of Sri Ch. Rajeshwar Rao. The Chanda Camp and the Siruvancha Camp were located side by side in Chandrapur District of Maharashtra. The deceased petitioner filed an application before the respondents in the month of January, 1986 seeking Freedom Fighters pension under SSS Scheme. At the time of filing the application, the deceased petitioner tried to get the certificate from the camp in-charge of Chanda camp i.e. K.V. Narsinga Rao, but he was not able to get that

certificate. The 2nd respondent directed the deceased petitioner to submit the certificate of the camp in-charge vide endorsement dated 16.07.2016 and in pursuance of the same, he submitted the camp in-charge certificate to the respondents and later his case was recommended by the Special Screening Committee to the Government of India for grant of Freedom Fighters pension in the year 1997. After recommendation of the Screening Committee, the 2nd respondent also recommended the case of the deceased petitioner vide letter No.617/FFf-II/A/2002, dated 21.03.2002 for grant of pension. But, the 1st respondent informed the deceased petitioner vide letter dated 16.03.2004 that the Government of India declined to grant freedom fighters pension on the ground that there was a contradiction in the name of Camp. After receiving the letter dated 16.03.2004, the deceased petitioner represented the matter before the 1st respondent by filing a detailed representation on 11.09.2004. On behalf of the deceased petitioner, the Deputy Speaker of Lok Sabha Sri G. Venkat Swamy, Member of Parliament also recommended to the 1st respondent for reconsideration of the case of the deceased petitioner. Again on 15.02.2007, the deceased petitioner filed a detailed representation by enclosing the latest report of the State Government along with the certificate issued by the Camp in-charge Sri Ch. Rajeshwar Rao to the 1st

respondent for reconsideration of his case. In the said representation, the deceased petitioner enclosed certificates issued by two prominent Freedom Fighters stating that he participated in the freedom fighters movement at Chanda and Siruvancha Camps.

4.1. Learned counsel for the deceased petitioner further submitted that there was no contradiction in the name of the camp as the deceased petitioner first underwent underground at Chanda camp and later he was shifted to Siruvancha camp. The evidence and the verification report of the 2nd respondent would show that the deceased petitioner was at Siruvancha camp, therefore, the order passed by the 1st respondent was illegal and void *abinitio*. As such, the same was questioned before this Court in W.P. No.4172 of 2007. This Court vide order dated 30.03.2012 allowed the writ petition by setting aside the order passed by the 1st respondent dated 16.03.2004 and directed the 1st respondent to reconsider the claim of the deceased petitioner. This Court also directed the 2nd respondent to send a re-verification report to the 1st respondent and directed the 1st respondent to reconsider the claim for grant of freedom fighter pension. But, again the 1st respondent rejected the claim of the deceased petitioner without assigning any reasons much less cogent reasons and passed the order contrary to the finding arrived by this Court in WP No.4172 of 2007 dated 30.03.2012.

The ground on which the claim of the deceased petitioner was rejected was that the 2nd respondent forwarded the report of the District Collector, Karimangar without compliance of the directive of the High Court and that in the application submitted by the deceased petitioner, nowhere it was mentioned that he worked with Sri Ch. Rajeshwar Rao in Siruvancha camp. But, the same was considered by this Court and passed the order directing the 1st respondent to reconsider the same for grant of freedom fighter pension. He further submitted that the scheme was introduced with an object of providing grant of pension to living freedom fighters for their sacrifice to the nation. The object was to honour and where it was necessary to mitigate the sufferings of those who had given their all for the Country in the honour of its need. The spirit of the scheme was to assist and honour the needy and acknowledge the valuable sacrifices made to the Country. On the contrary, the 1st respondent issued the impugned order declining to grant freedom fighter pension on flimsy and untenable grounds which was illegal and contrary to the fundamental rights guaranteed under Articles 14 and 21 of the Constitution of India and prayed to allow the petition.

4.2. He further submitted that this Court in WPMP No.48833 of 2012 in WP No.38506 of 2012, after considering the evidence on record,

directed the 1st respondent to sanction provisional pension to the petitioner at the same rate as he would have been entitled had his application been allowed, from the month of January, 2012. Accordingly, the 1st respondent granted pension vide letter No.112/4104/97/FF(HC), dated 21.05.2013 in compliance of the interim order dated 13.12.2012. After the death of the petitioner on 01.09.2019, his wife filed L.R. application since she was eligible to get dependent family pension, as such filed the application for grant of dependent family pension to her. But, the 1st respondent rejected her claim for dependent family pension under the provisions of SSS Yojana, 1980 on the ground that the deceased petitioner's claim for grant of freedom fighters pension was pending before the Court. The 1st respondent failed to extend the benefit given to the deceased petitioner pursuant to the orders of this Court. Once the claim of the deceased petitioner was considered and pension was sanctioned, the same benefit ought to have extended to his wife by the 1st respondent. The 1st respondent had no right to reject the claim of the wife of the deceased petitioner on technical grounds. The power exercised by the 1st respondent was in utter disregard to the freedom fighters pension scheme in its true spirit. The wife of the deceased petitioner filed WP No.1019 of 2021 challenging the proceedings passed by the 1st respondent in F.No.52/CC/100/2012-FF(HC), dated

09.12.2020 for not extending the benefit of the dependent family pension to her on account of the death of her husband and to direct the 1st respondent to grant the dependent family pension under SSS Yojana, 1980.

5. The learned Standing Counsel for the Central Government submitted that all the persons who took part in freedom movement in some way or the other were not eligible for sanction of “Swatantrata Sainik Samman Pension Scheme, 1980” Only specified category of freedom fighters, who fulfil the eligibility criteria and evidentiary requirements prescribed under the Scheme and the guidelines issued thereunder by furnishing the proof of claimed sufferings of the nature and in the manner specified in the Scheme itself were eligible for the pension under SSS Scheme, 1980. The claims of Samman Pension could be considered by the Central Government only when they were duly verified and recommended by the State Governments/Union Territory Administrations concerned, provided the report indicated the basis of such recommendations in accordance with the provisions of the claim. As per the scheme, the verification and recommendation report was mandatory in view of the fact that the documents and other evidence, which would substantiate the claims, were in the possession of the State Governments/Union Territory Administrations and not by the Central Government. However, the Central

Government keeping all the documents/reports/evidence in view would take a decision strictly in accordance with the eligibility criteria. A positive recommendation of the State Government was, therefore, not binding on the Central Government, if the claim would not satisfy the eligibility criteria and evidentiary requirements prescribed under the Scheme as held by the Division Bench of this Court in WA No.175 of 2007 in the matter of **Union of India v. Panjala Rajaiah** in its order dated 20.02.2007. The Hon'ble Supreme Court also upheld the above principle in its order dated 29.05.2012 passed in Civil Appeal No.4684 of 2006 in the matter of **Dy.Secretary to the Government of India v. Pilli Ramachandraiah**.

5.1. Learned Standing Counsel further submitted that the claim of the deceased petitioner was rejected vide Ministry's letter dated 16.03.2004 due to the contradiction in the name of the Camp because the petitioner claimed to have participated in Chanda camp under Camp in-charge Sri K. V. Narsinga Rao, whereas the State Government verified that he remained underground in the Siruvancha Camp under Camp in-charge Sri Ch. Rajeshwar Rao. The State Government again sent re-verification report vide their letter dated 11.06.2010. The report was examined and the State Government was requested to furnish fresh re-verification report after rectifying the deficiencies and re-examination of the claim as per policy

guidelines. The petitioner filed WP No.4172 of 2007 against the letter of the Ministry dated 16.03.2004 before this Court and this Court passed the order dated 30.03.2012 directing the 2nd respondent therein to reconsider the claim of the petitioner and to pass appropriate orders within a period of two months from the date of receipt of re-verification report from the 2nd respondent therein. The petitioner filed CC No.1136 of 2012 against the Principal Secretary to the Government of Andhra Pradesh for implementation of the directions of the Court and the said CC was closed on 11.10.2012. The State Government submitted their re-verification report in compliance of the directions of this Court vide letter dated 12.09.2012 stating that the applicant had not submitted any rectification of discrepancies and any document as evidence for sanction of freedom fighter pension. The re-verification report forwarded by the State Government was reconsidered in compliance with the directions of the this Court in WP No.4172 of 2007 and a speaking order rejecting the claim of the deceased petitioner was issued by the Ministry vide letter No.112/4104/97-FF(HC), dated 31.10.2012. The deceased petitioner filed this writ petition on 12.12.2012 challenging the rejection of his claim and filed WP MP No.48833/2012. This Court passed ad-interim order sanctioning the provisional pension and stated that the same would be

subject to the result of the writ petition. The ad-interim order was passed without considering the submissions of the respondents. As such, its implementation would cause irreparable loss to the exchequer. The ad-interim order was passed without giving proper opportunity of hearing to the respondents and against to the principles of natural justice. The petitioner had not fulfilled the eligibility criteria because the mandatory recommendations from the State Government for grant of pension were not there. The State Government had also stated in their report that the applicant had not submitted any rectification of discrepancies and any document as evidence for sanction of freedom fighters pension. The averment made by the petitioner that he worked in both the Camps was an afterthought when he failed to get requisite certificate from late Sri K.V. Narsing Rao. It was evident from his representation received on 11.07.1986 with a copy of his original application dated January, 1986. The Personal Knowledge Certificates and co-freedom fighter certificates were also not acceptable because the certifiers had not indicated the specific details of case and authority of petitioner's detention order as claimed by him in his writ petition and therefore, she contended that the writ petitions would become infructuous as the petitioner died. When the eligibility of the petitioner in WP No.38506 of 2012 itself was still doubtful and he was not

an eligible freedom fighter under the provisions of SSS Yojana and he was sanctioned provisional SSS Pension due to the intervention of this Court, the writ petition filed by the wife of the petitioner vide WP No.1019 of 2021 was not maintainable and prayed to dismiss both the writ petitions.

6. A counter affidavit was filed by the 2nd respondent stating that they forwarded the application of the petitioner to the Ministry of Home Affairs for taking decision in the matter as the Government of India was only the competent authority either to sanction or reject the freedom fighter pension as per their guidelines and the Government of India had rejected the proposal vide their letter dated 31.10.2012 and no action was required from their end as required in the writ petition.

7. Perused the record and the orders of this Court in WP No.4172 of 2007 and also in WPMP No.48833 of 2012 in WP No.38506 of 2012. It is considered relevant to extract the object of the SSS Scheme, 1980. It was rightly extracted by the High Court of Himachal Pradesh in **Brahmi Devi v. Union of India and Ors.**¹ that:

“13. Indisputably, the Scheme for granting freedom fighters' Pension was introduced in the year 1972 on the occasion of Silver Jubilee of National Independence. The freedom fighters' pension scheme was introduced with an ultimate object of providing grant of pension to the living freedom fighters and

¹ ILR 2016 5 HP 1028

their families and to the families of martyrs, who had participated in the freedom struggle without any expectation of grant of any scheme at that relevant point of time. The object of the scheme is not only to honour but also to mitigate the sufferings of the persons who had sacrificed their all for the sake of country, hence a liberal and not a technical approach is required to be followed at the time of considering the case of a person seeking pension under such scheme. Once, it is evident on the basis of the material available on record that the claimant of pension had suffered incarceration for the cause of the Country, a presumption has to be drawn in his favour, until the same is rebutted by cogent, reasonable and reliable material evidence.

15. The Hon'ble Supreme Court in *Gurdial Singh v. Union of India* (2001) 8 SCC 8, laid down the object of the scheme in the following terms:

“The scheme was introduced with the object of providing grant of pension to living freedom fighters and their families and to the families of martyrs. It has to be kept in mind that millions of masses of this country had participated in the freedom struggle without any expectation of grant of any scheme at the relevant time. It has also to be kept in mind that in the partition of the country most of citizens who suffered imprisonment were handicapped to get the relevant record from the jails where they had suffered imprisonment. The problem of getting the record from the foreign country is very cumbersome and expensive. Keeping in mind the object of the scheme, the concerned authorities are required that in appreciating the scheme for the benefit of freedom fighters a rationale and not a technical approach is required to be adopted. It has also to be kept in mind that the claimants of the scheme are supposed to be such persons who had given the best part of their life for the country. This Court in *Mukand Lal Bhandari* case observed:

“The object in making the said relaxation was not to reward or compensate the sacrifices made in the freedom struggle. The object was to honour and where it was necessary, also to mitigate the sufferings of those who had given their all for the country in the hour of its need. In fact, many of those who do not have sufficient income to maintain themselves refuse to take benefit of it, since they consider it as an affront to the sense of patriotism with which they plunged in the Freedom Struggle. The spirit of the Scheme being both to assist and honour the needy and acknowledge the valuable sacrifices made, it would be

contrary to its spirit to convert it into some kind of a programme of compensation. Yet that may be the result if the benefit is directed to be given retrospectively whatever the date the application is made. The scheme should retain its high objective with which it was motivated. It should not further be forgotten that now its benefit is made available irrespective of the income limit. Secondly, and this is equally important to note, since we are by this decision making the benefit of the scheme available irrespective of the date on which the application is made, it would not be advisable to extend the benefit retrospectively. Lastly, the pension under the present Scheme is not the only benefit made available to the freedom fighters or their dependents. The preference in employment, allotment of accommodation and in admission to schools and colleges of their kith and kin etc., are also the other benefits which have been made available to them for quite sometime now.”

The Court categorically mentioned that the pension under the scheme should be made payable from the date on which the application is made whether it is accompanied by necessary proof of eligibility or not”.

8. While rejecting the claim of the deceased petitioner for sanction of pension under the SSS Scheme, 1980, the 1st respondent in his letter dated 16.03.2004 observed that:

“I am directed to refer to State Government’s letter No.617/FF.IIA1/02, dated 21.03.2002 on the subject mentioned above and to say that your application for grant of Swatantra Sainik Samman Pension has been examined by this Ministry keeping in view the State Government Report referred to above and the documents submitted by you. In your application submitted by you in January, 1986, you claimed to have participated in Chanda Camp under Camp In-charge of Shri K.V.Narsinga Rao whereas the State Government has verified that you remained underground in the Siruvancha Camp under Camp in-charge of Shri Ch.Rajeswar Rao. There is a contradiction the name of Camp. Therefore your claim cannot be admitted.”

9. Considering the same, this Court in WP No.4172 of 2007 dated

30.03.2012 observed that:

“From a perusal of the above letter, it is manifest that the State Government sent a report stating that the petitioner participated in the freedom movement in the Siruvancha Camp under the leadership of camp In-charge, Ch.Rajeswar Rao. Admittedly this verification report of the State Government demonstrated that the petitioner did participate in the Freedom movement of Hyderabad State against the Nizam government during the period 1947-48 for liberation of Hyderabad State. However, as there was a contradiction in the name of the Camp and Camp In-charge as claimed by the petitioner vis-à-vis the one mentioned by the State Government, the claim of the petitioner was rejected. It is the case of the petitioner that initially he went to the boarder Camp at Chanda under the leadership of K.V. Narsinga Rao and subsequently he was shifted from Chanda Camp to Siruvancha camp under the leadership of Ch. Rajeswar Rao. He stated that both the aforesaid camps were juxtaposed. The certificate dated 27.11.2003 given by one Surabhi Rajeshwar Rao, Co-freedom fighter supports the claim of the petitioner and it also revealed that the petitioner initially remained under the leadership of K.V. Narsinga Rao, Camp In-charge at Chanda of Maharashtra State and later in the month of August, 1947, he was shifted to Siruvancha Camp under the leadership of Ch.Rajeswar Rao.

From a concatenation of the above, what emerges is that the participation of the petitioner in the subject freedom movement was not doubted by the respondent authorities. However there was a contradiction in the name of the Camp and Camp In-charge claimed by the petitioner vis-a-vis the one mentioned by the State Government. The petitioner in fact clarified the respondent authorities the so-called contradiction through his detailed representations enclosing therewith in proof thereof. It is fairly submitted by the learned Central Government Standing Counsel for the first respondent that the claim of the petitioner would be considered for grant of pension under the Swatantrata Sainik Samman pension Scheme-1980.”

10. After rejection of the application by the 1st respondent, the writ petitioner made another representation dated 15.02.2006 and the District

Collector, Karimnagar got enquired through the RDO, Peddapalli, Karimnagar and recommended the case of the petitioner to the 2nd respondent for sanction of pension vide proceedings dated 09.05.2006 clarifying the contradiction in the name of the Camp. The petitioner also enclosed the certificate issued by the Camp in-charge Sri Ch. Rajeshwar Rao and the certificate of the co-freedom fighter, by name, Surabhi Rajeswar Rao, dated 27.11.2003, which would reveal that the petitioner initially remained under the leadership of Sri K.V. Narsing Rao and later in the month of August, 1947, he was shifted to Siruvancha Camp under the leadership of Sri Ch. Rajeshwar Rao. When the State Government verified and sent a report vide their letter No.52744/FF/11(A.)2010, dated 11.06.2010, the Central Government asking the State Government to furnish a fresh re-verification report and rejecting the claim of the petitioner on the ground that the State Government merely forwarded the report of the District Collector, Karimnagar and that the applicant had not submitted re-verification of deficiencies or any documentary evidence for sanction of Freedom Fighter pension and that the State Government had not furnished the application submitted by the petitioner Sri Mekala Lakshmaiah and rejecting the same is on flimsy grounds. The original application filed by the deceased petitioner in January, 1986 is on record.

However, the order would also disclose that he enclosed the photocopy of the same application dated 20.11.2010 submitted to the State Government with his submission that he worked with Sri Ch. Rajeshwar Rao, Ex-Chairman of Freedom Fighters Committee in Siruvancha Camp and earlier worked in Chanda Camp under Sri K.V. Narsing Rao. Rejecting the said application on the ground that the claim of the change of border camp was an afterthought and he did not claim in his original application made in January, 1986 to have worked in Siruvancha camp and the same was against the guidelines issued by the Ministry's letter No.112/08/200-FF(HC), dated 10.09.2009 is taking a hyper technical approach in rejecting the application of the petitioner.

11. This Court vide order in WPMP No.48833 of 2012 dated 13.12.2012 observed that:

“To the misfortune of the petitioner, contrary to the findings rendered by this Court and assurance given by the counsel appearing for respondent No.1, the latter has passed the impugned order on 31.10.2012 rejecting the petitioner's application once again by virtually reiterating the stand taken by it in its earlier rejection order dated 16.3.2004. The alleged contradiction in respect of the Camps was precisely the ground given in the previous order of rejection. Having considered the said ground, this Court has rendered categorical findings that the participation of the petitioner in the freedom movement was not doubted by the respondents. This and other findings rendered by this Court in favour of the petitioner have not been assailed by the respondents and they have attained finality. Therefore, in my prima facie opinion, it is wholly unjust on the part of respondent No.1 to reject the petitioner's application for

Freedom Fighters' Pension once again on the same ground, on which it has earlier rejected and which rejection order was set aside by this Court."

and granted provisional pension to the deceased petitioner from the month of January, 2012.

12. The Hon'ble Apex Court in **Gurdial Singh v. Union of India**²

observed that:

"8. We have noticed with disgust that the respondent Authorities have adopted a hyper-technical approach while dealing with the case of a freedom fighter and ignored the basic principles/objectives of the scheme intended to give the benefit to the sufferers in the freedom movement. The contradictions and discrepancies, as noticed hereinabove, cannot be held to be material which could be made the basis of depriving the appellant of his right to get the pension. The case of the appellant has been disposed of by ignoring the mandate of law and the Scheme. The impugned order also appears to have been passed with a biased and close mind completely ignoring the verdict of this Court in Mukund Lal Bhandari's case. We further feel that after granting the pension to the appellant, the respondents were not justified to reject his claim on the basis of material which already existed, justifying the grant of pension in his favour."

13. Considering the judgments of the Hon'ble Apex Court as extracted above and when the petitioner was granted provisional pension basing on the order of this Court, rejecting the same to the wife of the petitioner is considered as improper. The Hon'ble Apex court in **Mukund Lal Bhandari and others v. Union of India and others**³ held that:

² 2001 (8) SCC 8

³ 1993 Supp (3) SCC 2

“In fact, the Government, if it is possible for them to do so, should find out the freedom fighters or their dependents and approach them with the pension instead of requiring them to make applications for the same. That would be the true spirit of working out such Schemes. The Schemes has rightly been renamed in 1985 as the Swatantra Sainik Samman Pension Scheme in accord with its object. We, therefore, cannot countenance the plea of the Government that the claimants would only be entitled to the benefit of the Scheme if they made applications before a particular date notwithstanding that in fact they had suffered the imprisonment and made the sacrifices and were thus otherwise qualified to receive the benefit. We are, therefore, of the view that whatever the date on which the claimants make the applications, the benefit should be made available to them. The date prescribed in any past or future notice inviting the claims, should be regarded more as a matter of administrative convenience than as a rigid time- limit.”

14. Hence, considering the object of the SSS Scheme, 1980 and that the deceased petitioner had made an application by enclosing all the requisite documents and the State Government also recommended for sanction of his pension and this Court vide orders in WP No.4172 of 2007 and also in WP MP No.48833 of 2012 in WP No.38506 of 2012 had after considering all the aspects, granted provisional pension, rejection of the same by the 1st respondent by taking a hyper technical approach, is considered not proper. Accordingly, the impugned proceedings in both the writ petitions are set aside.

15. In the result, both the writ petitions are allowed. The proceedings No.112/4104/97-FF(HC), dated 31.10.2012 in WP No.38506

of 2012 and the proceedings in F.No.52/CC/100/2012-FF(HC), dated 09.12.2020 in WP No.1019 of 2021 are set aside. The interim orders in WPMP No.48833 of 2012 in WP No.38506 of 2012 are made absolute. The respondents are directed to consider the application of the petitioner in WP No.1019 of 2021 for grant of dependent pension to her within a period of eight weeks from the date of receipt of a copy of this order. No order as to costs.

Miscellaneous Petitions pending, if any, shall, stand closed.

July 08, 2022
KTL

Dr. G. RADHA RANI, J