

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**FRIDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SHRI JUSTICE ANIL KUMAR JUKANTI

WRIT PETITION NO: 17436 OF 2017

Between:

V.Murali Mohan Reddy, S/o. V.P.Subba Reddy, Aged about 59 years, Retd. Assistant Prohibition and Excise Superintendent, Secunderabad, R/o. H.No.14-7/1, P & T Colony, Dilsukhnagar, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary to Government, Revenue (Ex.I) Department, Secretariat, Hyderabad.
2. The Commissioner of Prohibition and Excise, Government of Telangana, Hyderabad.
3. The Tribunal for Disciplinary Proceedings, rep. by Its Secretary, Hyderabad.
4. The Deputy Commissioner of Prohibition & Excise, Hyderabad Division

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not releasing petitioner's full pensionary benefits ie., 1-10-2015) comprising of Full Service Pension, Commutation and Gratuity with an interest of 18% per annum consequent upon petitioners retirement from service on 30-9-2015 on the ground that proceedings are pending against the petitioner before the Tribunal for Disciplinary proceedings pursuant to Proceedings No.Cr.No.3933/2015/CPE/B-3, dated 20-8-2015 of the Commissioner of Prohibition and Excise, Telangana State, Hyderabad, though no charges are framed and communicated to the petitioner by the Tribunal for Disciplinary proceedings (before or after retirement) till date as being arbitrary, illegal, unjust, contrary to the provisions of Rule 9(2)(b)(ii) of A.P. Revised Pension Rules, 1980 and in violation of Articles 14, 21 and 300-A of the Constitution of India and consequently hold that the petitioner is entitled to be sanctioned and paid full pensionary benefits (w.e.f. 1-10-2015)

comprising of Full Service Pension, Commutation and Gratuity with an interest of 18% per annum for the undue and unexplained delay in payment of the same in the interest of justice.

I.A. NO: 1 OF 2017(WPMP. NO: 21302 OF 2017)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to forthwith release the full pensionary benefits (w.e.f. 1-10-2015) Comprising Full Service Pension, Commutation and Gratuity along with 18% interest, due to petitioner consequent upon his retirement from service on 30-9-2015 in the interest of justice.

IA NO: 1 OF 2018

Between:

1. The State of Telangana, rep. by its Principal Secretary to Government, Revenue (Excise-I) Department, Secretariat, Hyderabad.
2. The Commissioner of Prohibition and Excise, State of Telangana, Hyderabad.
3. The Tribunal for Disciplinary Proceedings, rep. by Its Secretary, Exhibition Grounds, Nampally, State of Telangana, Hyderabad.
4. The Deputy Commissioner of Prohibition & Excise, Hyderabad Division

...PETITIONERS

AND

V.Murali Mohan Reddy, S/o. V.P.Subba Reddy, Aged about 59 years, Retd. Assistant Prohibition and Excise Superintendent, Secunderabad, R/o. H.No.14-7/1, P & T Colony, Dilsukhnagar, Hyderabad.

...RESPONDENT

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to vacate the interim orders dated 02.06.2017 in WPMP No. 21302/2017 in WP No. 17436/2017.

Counsel for the Petitioner: SRI BHARAT SHAH, REP. FOR SRI D.LINGA RAO

Counsel for the Respondents: GP FOR SERVICES

The Court made the following: ORDER

THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI

WRIT PETITION No.17436 OF 2017

ORDER:

When the matter is called, Sri Bharat Shah, learned counsel representing Sri D.Linga Rao, learned counsel for the petitioner submits that in view of the order, dated 06.12.2023 passed by this Court in W.P.No.42755 of 2018, this writ petition has become infructuous.

2. Recording the said submission, the Writ Petition is dismissed as infructuous. There shall be no order as to costs.

Miscellaneous Applications, if any, pending in this Writ Petition shall stand closed.

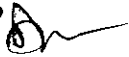
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**SD/-N. SRIHARI
ASSISTANT REGISTRAR
SECTION OFFICER**

To,

1. One CC to SRI D.LINGA RAO, Advocate [OPUC]
2. Two CCs to GP FOR SERVICES, High Court for the State of Telangana at Hyderabad [OUT]
3. Two CD Copies

BSR
GJP

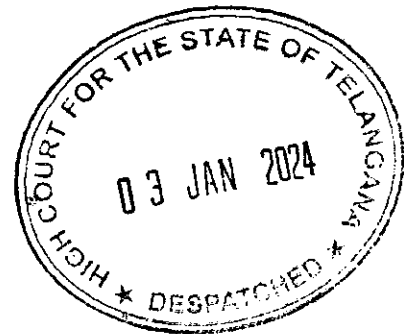


HIGH COURT

DATED: 08/12/2023

ORDER

WP.No.17436 of 2017



**DISMISSING THE WRIT PETITION
AS INFRUCTUOUS,
WITHOUT COSTS**

(6)
MA
28/12/23