

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.19987 of 2021

ORDER:

The present writ petition is filed seeking a direction to the respondents herein to pay the pensionary benefits on the ground that the petitioner was retired from the service on 30.06.2019 in the Registration Department and it was averred in the affidavit that the ACB authorities conducted surprise ride on the office of the District Register on 12.07.2017 but they have not noticed any irregularities committed by the petitioner herein or has not been charge sheeted for withholding of the pensionary benefits.

2. Per contra, the learned counsel for the respondents filed the counter affidavit stating that they are going to initiate disciplinary proceedings against the petitioner herein, as such, they have not released his/her pensionary benefits.

3. Learned counsel for the respondents relied upon G.O.Rt.No.1097 dated 22.06.2000 stating that as per the rule No.3 in case of Government Employees against whom the departmental proceedings or criminal proceedings are pending at the time of retirement all the above terminal benefits need not be released.

4. As per the counter affidavit, no criminal proceedings or disciplinary proceedings are pending against the petitioner herein, under rule of A.P. Revised Pension rules, 1980 herein after called as Rules.

5. The pensionary benefits are not a bounty or award given to the petitioner herein. Getting pensionary benefits are the legal rights of the petitioner herein. In the present case, there are no

criminal or disciplinary proceedings pending against him. Therefore his pensionary benefits cannot be withheld.

7. In view of the facts and circumstances of the case, on perusal of the material available on record, the present Writ Petition is disposed of directing the respondents herein to pay all the pension/retirement benefits to the petitioner within a period of eight (8) weeks, from the date of receipt of this order, failing which the respondents are directed to pay interest @ 12% p.a. till the date of payment.

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

TARLADA RAJASEKHAR RAO, J

Dt.11.08.2022
PGT

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.19987 of 2021

Dated:11.08.2022

PGT