[3301]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY ,THE TWENTY NINTH DAY OF JANUARY TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 2083 OF 2024

Between:

Y.Rama Subba Reddy, S/o Y.Pedda Narayana Reddy, Aged about 73 Years, Occ. Retd Language Pandit, R/o.F.No.103, H.No.12-12-999, Kiran Heights, Bharath Nagar Colony, Medchal Malkajgiri Dist

Petitioner

AND

1. The State of Telangana, Rep by its Principal Secretary, School Education Department, Secretariat, Hyderabad.
2. The Commissioner and Director of School Education, Saifabad, Hyderabad
3. The Accountant General (A and E), Saifabad, Hyderabad

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 a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondents in not paying the pension as per last pay drawn even after Hon'ble High Court passed orders to pay arrears in WP No.29090/2023 as being illegal, arbitrary, discriminatory and is contrary to Rule 33 of Pension Rules and violative of Article 14 of the Constitution of India and consequently direct the respondents to pay full pension;

IA NO: 1 OF 2024:

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 pay the pension considering the last drawn pay, pending disposal of the WP 2083 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI PRAVEEN KUMAR CHALLA Advocate for the Petitioner and GP FOR SERVICES I for the Respondents, the Court made the following.

ORDER:

Notice before Admission.

Learned Government Pleader for Services-I takes notice on behalf of respondent Nos.1 to 3, waives further notice and seeks time to file counter affidavit.

Registry is directed not to take out notices to respondent Nos.1 to 3 in view of this waiver.

Post this matter on 20.02.2024, for counter of the respondents.

Having regard to the submissions made by the learned counsel for the petitioner, there shall be an interim direction to the respondents to pay the pension to the petitioner, basing on his last drawn pay.

SD/- A.V.S.PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, School Education Department, State of Telangana Secretariat, Hyderabad.
2. The Commissioner and Director of School Education, Saifabad, Hyderabad
3. The Accountant General (A and E), Saifabad, Hyderabad (1 to 3 by RPAD)
4. One CC to SRI. PRAVEEN KUMAR CHALLA Advocate [OPUC]
5. Two CCs to GP FOR SERVICES - I, High Court at Hyderabad. [OUT]
6. One spare copy

HIGH COURT

PKJ

DATED:29/01/2024

POST ON 20-02-2024

ORDER

WP.No.2083 of 2024

DIRECTION