

THE HON'BLE SRI JUSTICE GODA RAGHURAM.

WRIT PETITON NO.18897 OF 2005

DATE: 30-11-2005

Between:

Smt.Sadat Bee w/o Late Mir Abid Ali

Age 50 yrs, H.No.19-4-2279/C/174,

Nawab Saheb Kunta, Falaknuma,

Hyderabad.

... Petitioner

A n d

Senior Superintendent of Post Offices,

Hyderabad, South East Division,

Hyderabad -27 and another

.... Respondents

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ORAL ORDER:

The petitioner's husband, retired as postmaster, was sanctioned pension vide Pension Payment Order No.5633/LPR. At the time of his retirement, the petitioner's husband recorded the name of one Sajida Begum, his first wife, as his nominee. According to the petitioner, Sajida Begum expired on 20-01-1990 and thereafter on 09-12-1996, the petitioner's husband is said to have made a representation to the respondents bringing the fact of the death of Sajida

Begum to their notice and requesting them to substitute the petitioner's name in lieu of Sajida Begum, as his nominee. According to the petitioner, the said representation was acknowledged by the respondents. On 06-01-2004, the petitioner's husband is said to have made another representation to the same effect, which was also acknowledged by the respondents. According to the petitioner, she was married to the late employee of the postal department on 11-07-1983 and her husband expired on 11-02-2005.

After the demise of her husband, the petitioner approached the respondents for grant of family pension. On such representation of the petitioner, the respondents, by an order dated 11-04-2005, called upon the petitioner to file certified copies of documents including the original marriage certificate. The petitioner filed the documents as required including a copy of the marriage certificate issued by the A.P. Wakf Board. Not satisfied with the documents submitted by the petitioner, the second respondent issued another letter dated 09-08-2005, calling upon the petitioner to submit a marriage certificate issued by a competent Court of law. Aggrieved by such irrational demand of the second respondent, the writ petition is filed.

The first respondent has filed a counter-affidavit as well as an additional counter-affidavit. It is now stated that the family pension papers submitted by the petitioner along with enclosures have been sent to the Accounts Officer (Pension Section), Office of DAP, Hyderabad-1 for further process and taking up action, on 28-09-2005. As and when the Director of Pensions, who is the pension sanctioning authority passes an order the same will be communicated or implemented, is the contention in the counter-affidavit.

The learned counsel for the petitioner states that in view of these developments, no further orders are necessary and if the petitioner is aggrieved by any decision of the Director of Pensions, she will be at liberty to take appropriate remedial measures.

In the light of the above, the writ petition is disposed of. No order as to costs.

30-11-2005.

Lrkm.