

**THE HON'BLE SRI JUSTICE RAMESH  
RANGANATHAN**

**And**

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTI**

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**Contempt Case No.1563 of 2015**

**ORDER:** (per Hon'ble Sri Justice Ramesh Ranganathan)

This contempt case is filed alleging violation of the order passed by this Court in W.P.No.8613 of 2015 dated 30.04.2015 whereby the respondents herein were directed to consider the case of the 2<sup>nd</sup> petitioner herein for appointment to any suitable post, strictly in accordance with the scheme for compassionate appointment, at the earliest and, in any event, not later than two (2) months from the date of receipt of a copy of the order.

Sri K.Ramalingeswara Rao, learned counsel for the petitioners, would submit that an order was passed by the respondents rejecting the 2<sup>nd</sup> petitioner's case for appointment on compassionate grounds on the specious plea that the Board is running in losses for the past five years; and the scheme of compassionate appointment is applicable only to public sector undertakings which are running in profits. Learned counsel would submit that the statement that the Board is unable to provide compassionate appointment, on the ground that it is suffering huge losses, is belied by the proceedings of the A.P. Housing Board dated 17.12.2012 whereby Sri G.Prabhu Kiran was appointed on compassionate grounds.

Sri A.K.Jaya Prakash Rao, learned Standing Counsel for the respondents, has placed before this Court a copy of the proceedings dated 10.09.2015, whereby Rs.50,34,971/- was paid to the 1<sup>st</sup> petitioner (widow of the deceased-employee) towards terminal benefits of the deceased, to submit that the deceased was working as a Deputy Chief Engineer with the Board; the 1<sup>st</sup> petitioner is

now being paid pension of Rs.53,227/- per month; the petitioners cannot be said to be indigent persons, and their family to be in distress justifying appointment on compassionate grounds; and the Board has been continuously suffering losses.

The order of this Court required the respondents to consider the case of the 2<sup>nd</sup> petitioner herein in accordance with the scheme for compassionate appointment. The respondents have considered the case of the 2<sup>nd</sup> petitioner herein and have rejected her claim for appointment on compassionate grounds. Any grievance, which the petitioners may have against the order of rejection, can only be agitated in independent legal proceedings, and would not justify their invoking the contempt jurisdiction of this Court to punish the respondents for Contempt of Court. As the respondents have considered the case of the 2<sup>nd</sup> petitioner herein for compassionate appointment, they cannot be said to have violated the order passed by this Court. We see no reason, therefore, to proceed against the respondents under the Contempt of Courts Act.

The Contempt Case is closed. Contempt Applications pending, if any, shall also stand closed. There shall be no order as to costs.

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**RAMESH RANGANATHAN, J**

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**M.SATYANARAYANA MURTHY, J**

18<sup>th</sup> September 2015.  
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