

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

C.C. No.205 of 2013

Between:

Shaik Fareeduddin

...

Petitioner

And

Aslam Ansari and another

...

Respondents

JUDGMENT PRONOUNCED ON 14.12.2015

-

-

-

-

THE HON'BLE SRI JUSTICE G. CHANDRAIAH

1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? :
2. Whether the copies of judgment may be
marked to Law Reporters/Journals. :
3. Whether their Ladyship/Lordship wish to
see the fair copy of the Judgment? :

THE HON'BLE SRI JUSTICE G. CHANDRAIAH

C.C. No.205 of 2013

ORDER:

This contempt case has been filed seeking to punish the respondents for having deliberately violated the interim orders of this Court passed in WPMP. No.36840 of 2011 in W.P. No.29737 of 2011 on 09.11.2011.

The case of the petitioner is that he filed W.P. No.29737 of 2011 questioning the action of the respondents in not releasing all retirement benefits including additional monitory benefits, Provident Fund, Gratuity, SRBC, CCS and family pension and all other retirement benefits, which is entitled by the petitioner. Along with the writ petition, he also filed WPMP. No.36840 of 2011 seeking direction to the respondents to consider the petitioner's representation dated 14.10.2011 by releasing all retirement benefits including additional monitory benefits, P.F., Gratuity, SRBC, CCS and family pension forthwith, pending the writ petition.

This Court on 09.11.2011 in WPMP. No.36840 passed a direction to the respondents to consider the representation dated 14.10.2011 of the petitioner, stated to have been filed. However, if for any reason, the said representation is not available, the petitioner is given liberty to make fresh representation, within two weeks from the date of receipt of a copy of the order, and on making such representation, the respondents are directed to consider the same and pass appropriate orders, in accordance with law.

Complaining that the said interim direction has not been complied with by the respondents, the petitioner filed the present contempt case.

Today, when this matter has been taken up for hearing, the learned counsel appearing for the respondents, while placing a copy of the proceedings No.LC1/785/WP(87)/11-RM-MB, dated 12.03.2013, submitted that pursuant to the direction passed by this Court on 09.11.2011, said proceedings have been issued and therefore, there is no deliberate violation on the part of the respondents in compliance of the order passed by

this Court. Therefore, this contempt case is liable to be dismissed.

As could be seen from the proceedings dated 12.03.2013 issued by the Regional Manager, Mahabubnagar Region, wherein it is categorically mentioned that the petitioner has submitted a representation dated 28.11.2011 duly enclosing a copy of the order dated 09.11.2011 passed by this Court for implementation. The said representation of the petitioner was examined and in compliance of the order passed by this Court on 09.11.2011, proceedings dated 12.03.2013 has been issued wherein it is decided to retire the petitioner on medical grounds and directed the Depot Manager, Mahabubnagar Depot to pay all eligible retrial benefits to him.

In that view of the matter, I do not see any reason that the respondents have deliberately violated the order dated 09.11.2011 passed by this Court in WPMP. No.36840 of 2011 in W.P. No.29737 of 2011. Therefore, this contempt case is liable to be closed.

Accordingly, this contempt case is closed.

As a sequel, miscellaneous petitions, if any, stands closed.

There shall be no order as to costs.

JUSTICE G.CHANDRAIAH

Date: 14.12.2015

LSK