

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

CONTEMPT CASE No.962 of 2015

Between:

T.Satyavathi,
W/o Satyanarayana,
School Assistant (Social Studies)
ZPHS, Kalamalachervu, Garidepally mandal,
Nalgonda District.

.... Petitioner

Sri S.Vishwanath Rao,
The District Educational Officer,
Nalgonda District & 4 others.

... Respondents

DATE OF JUDGMENT PRONOUNCED: 14.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

And

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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CONTEMPT CASE No.962 of 2015

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| 1 | Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2 | Whether the copies of judgment may be
marked to Law Reports/Journals | Yes/No |
| 3 | Whether Their Ladyship/Lordship wish
to see the fair copy of the Judgment? | Yes/No |

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THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

And

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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CONTEMPT CASE No.962 2015

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

The order, violation of which is alleged in this Contempt Case, is the order passed by this Court in W.P.No.7279 of 2015 dated 20.04.2015. The order of this Court required the respondents, within four weeks from the date of the order, to pay the petitioner the subsistence allowance which she was entitled to. The order of this Court is dated 20.04.2015 and the four week period expired on 18.05.2015. It is not in dispute that the subsistence allowance was paid to the petitioner more than a month thereafter on 29.06.2015. It is evident, therefore, that the order of this Court has been violated.

On the question whether such violation is wilful and deliberate, the explanation given in the counter-affidavit, for non-payment of subsistence allowance within time, is that the petitioner was not cooperating in furnishing her details such as her bank account and her I.D. number; therefore the particulars, such as the I.D. number, were obtained from her old station i.e. ZPHS Ganugabanda, Garidepally mandal; and the same was informed to the Head Master, ZPHS, Kalamalachurvu for processing the bill for arranging payment of subsistence allowance. The order of this Court did not require the petitioner to furnish any such details. The very fact that the respondents eventually made payment, without the petitioner having furnished such details, goes to show that the respondents could have complied with the order of this Court within the stipulated time. Their failure to comply with the order within time is therefore wilful and deliberate, and, consequently, action needs to be taken against them under the Contempt of Courts Act, 1971.

The order has been complied with *albeit* belatedly. The first respondent has stated in his counter-affidavit that he has the greatest respect for the orders of the Court. Learned Government Pleader for Services would submit that the first respondent expresses contrition and regret for his failure to comply with the order of this Court within time. We consider it appropriate, in such circumstances, to impose on the first

respondent (who is the competent authority to make payment of subsistence allowance) the punishment of sentence of fine of Rs.500/- (rupees five hundred only) which shall be paid to the petitioner within four weeks from today.

The Contempt Case is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

RAMESH RANGANATHAN, J

M.SATYANARAYANA MURTHY, J

14th August, 2015.

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