

THE HON'BLE SRI JUSTICE G.CHANDRAIAH
and
THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO
C.C.No.2061 of 2014

ORDER: *(Per Justice G.Chandraiah)*

This Contempt Case is filed by the petitioner complaining that respondent authorities have violated the order dated 08.04.2011 in WPMP No.11368 of 2011 in W.P.No.9396 of 2011. In W.P.No.9396 of 2011 the petitioner filed WPMP No.11638 of 2011 seeking the following relief:

“..to direct respondents 1 to 5 to consider the petitioner for appointment as Junior Loco Inspector/Chief Loco Inspector in the existing vacancies based on his performance in the selections conducted by the Railway Administration in pursuance of the Notification dated 02.05.2008 pending writ petition.”

This Court granted interim direction as prayed for.

2) This is the second Contempt Case. On the earlier occasion C.C.No.963 of 2011 was filed under Sections 10 to 12 of Contempt of Courts Act, 1971 to punish the respondents therein for violating/disobeying the orders of this Court dated 08.04.2011 passed in W.P.M.P.No.11638 of 2011 in W.P.No.9396 of 2011. The said contempt case was dismissed on the submission made by learned counsel for respondents at present respondent authorities are not taking any further steps in the matter for filling up

the vacancies.

3) The present Contempt Case is filed complaining that contrary to the statement recorded by this Court the respondent authorities have issued notification for selection to the post of Chief Loco Inspector by proceedings dated 12.11.2014 and called for applications from the eligible candidates for 24 vacancies and the petitioner's case is not considered when the vacancy arose as per the notification. Therefore, the present Contempt Case.

4) Learned counsel for respondents submitted that having regard to the interim directions granted by this Court in similar cases in other three writ petitions the authorities have kept vacant four posts and notification was issued for the remaining vacancies. He further submitted that pursuant to the interim order the authorities have kept the notification in abeyance. Hence, there is no violation.

5) It is brought to the notice of this Court that in similar circumstances, C.C.Nos.2005 and 2025 of 2014 were dismissed by this Court on 10.04.2015.

6) In that view of the matter, we see no reason to entertain the present Contempt Case and it is accordingly dismissed.

G.CHANDRAIAH, J

U.DURGA PRASAD RAO, J

Dt:17.11.2015
Murthy