

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

Contempt Case No.919 of 2016

Dated 17th June, 2016

Between:

M.Subba Rao

...Petitioner

And

Sri B.Sambob

...Respondent

Counsel for the petitioner: Sri P.Balakrishna Murthy

Counsel for the respondent: GP for Services (AP)

The Court made the following:

ORDER: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The petitioner in W.P.No.7841 of 2016 filed this contempt case alleging that the respondent has wilfully and deliberately violated the order, dated 11.03.2016, passed in the said writ petition.

Shorn of unnecessary details, it will suffice to note that in the above-mentioned writ petition filed by the petitioner feeling aggrieved by non-consideration of his claim for promotion, this Court by the above-mentioned order disposed of the said writ petition with the following direction:

“In the light of the above G.O., respondent Nos.1 to 3 are directed to consider the case of the petitioner for promotion, subject to finalisation of seniority and final allocation, as expeditiously as possible and not later than four months from the date of receipt of this order.”

In compliance with the said order, the respondent has issued memo bearing No.7197/Ser.I/2013, dated 30.05.2016, wherein the representation of the petitioner was rejected by giving detailed reasons. Feeling aggrieved by this memo, the petitioner filed this contempt case alleging that the reasons of rejection are neither tenable nor sustainable.

On a careful consideration of the facts of the case, we are of the opinion that the tenability or sustainability of the reasons contained in the memo of rejection issued by the respondent does not fall within the scope of the contempt case, for, this Court while disposing of the writ petition has not embarked upon the merits of the case nor any directions were issued to the respondent to consider the claim of the petitioner for promotion in a particular manner. With the passing of the memo, referred to above, the respondent has duly complied with the order of this Court in W.P.No.7841 of 2016. The only option available to the petitioner is to avail a fresh legal remedy in order to question the above-mentioned memo.

In the light of the above facts and circumstances of the case, we do not find any merit in this contempt case and the same is accordingly dismissed.

C.V.NAGARJUNA REDDY, J

M.S.K.JAISWAL, J

17th June, 2016
VGB