

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CONTEMPT CASE No.1254 OF 2013

ORDER:

This Contempt Case is filed to punish the respondents for violating the order of this Court, dated 30.08.2012, in W.P.No.1633 of 2011.

2. The petitioner herein filed the aforementioned writ petition to declare inaction of the respondents in regularizing her services in the post of Telugu Teacher in respondent No.1 institute w.e.f 24.02.1987 as arbitrary and illegal and contrary to G.O.Ms.No.212, dated 22.04.1994.

3. This Court by an order, dated 30.08.2012, disposed of the writ petition with a direction to the respondents to consider the petitioner's case for regularization of her services in terms of G.O.Ms.No.212, dated 22.04.1994 and G.O.Ms.No.59, dated 10.08.2007. The said exercise shall be completed within a period of three (03) months from the date of receipt of a copy of that order.

4. When the Contempt Case came up for hearing on 05.07.2016, this court after perusing the material on record and considering the arguments of both the counsel, found the respondents guilty and directed them to file affidavits as to why they should not be punished under Contempt of Courts Act, 1971 by adjourning the matter after two (02) weeks. Subsequently, the matter was listed on 28.07.2016 and on that day this Court ordered the respondents be present on 02.08.2016. Accordingly, today the respondents are present and filed their affidavits in almost same verbatim though both of them tried to justify their action, however, in the last para of affidavits they stated that they have respected to the Court and the orders and if any mistake has been committed, they may be pardoned.

5. This Court interacted with both the contemnors. The first contemnor has two daughters. The first daughter is pursuing B.Tech and second daughter is studying 6th Class. Insofar as second contemnor is concerned, he is having two children. Son is studying 12th standard and daughter is pursuing B.Tech.

6. Both the contemnors state that the order of this Court, dated 30.08.2012 in W.P.No.1633 of 2001 has been complied with by issuing proceedings Rc.No.Z-I/0962/2013, dated 25.04.2013 in its letter and spirit. They also specifically stated that the services of the petitioner would be treated on par with Sri M.Ramachandraiah and Mohd.Saheb Ali, Adhoc Teachers, who filed W.P.No.26903 of 2007 to regularize their services, in terms of G.O.Ms.No.212, dated 22.04.1994.

7. Learned counsel appearing on behalf of petitioner satisfied with the order and statement made by the contemnors.

8. Learned counsel appearing on behalf of contemnors submits that the act of contemnors was not intention, however, due to misunderstanding of the Court order, and they may be pardoned.

9. Keeping in view the submissions made by learned counsel for the petitioner and the learned counsel appearing for the contemnors, I deem it appropriate to pardon the contemnors and accordingly they are discharged.

10. Accordingly, the Contempt Case is closed. I hereby made it clear that holding guilty of contemnors by this Court vide order, dated 05.07.2016 will not come in any way or in any sense whatsoever in their service career. No costs.

SURESH KUMAR KAIT, J

AUGUST 02, 2016
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THE HON’BLE SRI JUSTICE SURESH KUMAR KAIT

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