

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

CONTEMPT CASE No.2248 of 2014

ORDER:

The Contempt Case is filed questioning non-implementation of the order of this Court in Writ Petition No.23095 of 2007, which was disposed of vide Common Order dated 11.11.2008 along with Writ Petition Nos.22287 of 2007 and 23005 of 2007. The operative portion of the said Common Order reads thus:

“Under those circumstances, the 2nd respondent is directed to re-consider the cases of the petitioners for appointment to the posts of teachers in Girijana Vidya Vikas Kendra Schools, on par with the 4th respondent, in any existing or future vacancies, and, if necessary, by seeking the recommendations of the Village Development Committee concerned, if the petitioners are otherwise eligible as per law, and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.”

2. In pursuance of the said directions, contemnor-Project Officer, ITDA, Eturnagaram issued Proceedings Rc. No.E2-B/65/2006, dated 20.08.2014, and its operative portion reads thus:

“On re-verification of the case of the petitioners, it is found that, they are not holding any qualification of Teaching training, hence

as per the guidelines issued by the Commissioner of Tribal Welfare AP Hyderabad read with the Service Rules framed by the Government vide reference 5th cited, the application of the petitioners is rejected as there is no provision is available. Orders passed by the Hon'ble High Court of AP at Hyderabad vide reference 1st read above are complied with."

3. Learned counsel for the petitioner submits that the order issued by 2nd respondent in the Writ Petition is not in compliance of the directions of this Court, but it is in clear violation thereof. On the other hand, learned Government Pleader appearing for the respondent submits that the direction of this Court was to re-consider the case of the petitioner, and after taking into consideration all the requirements, it is observed by 2nd respondent that the benefit that was conferred on 4th respondent in the Writ Petition cannot be extended to the petitioner, and hence, there is no willful disobedience of the order of this Court.

4. The respondent passed the order dated 20.08.2014 with reasons, in pursuance of the directions of this Court. If the petitioner is aggrieved by the said order, it shall be challenged in separate proceedings. Therefore, it cannot be said that the respondent committed any willful disobedience of the order of this Court in the aforesaid

Writ Petition.

5. The Contempt Case is, accordingly, closed. No costs. Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

24.06.2016

DRK

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24.04.2016