

*THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE U. DURGA PRASAD RAO*

CONTEMPT CASE No.521 of 2016

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

There is no representation for the petitioner or his learned counsel.

This contempt case was instituted alleging willful disobedience to the order dated 02.08.2011 passed by this Court in W.A.No.1758 of 2004.

By the said order, this Court allowed the appeal in part holding that the petitioner herein, a Conductor in the service of the Andhra Pradesh State Road Transport Corporation (APSRTC), should be given the benefit of his past service and set aside the direction of the disciplinary authority to the effect that he should be placed at the bottom of the seniority list of his cadre upon reinstatement. Alleging that he was not given the benefit of his past service, the petitioner filed this contempt case.

The Depot Manager, APSRTC, Zaheerabad Depot, Medak District, filed a counter-affidavit stating that the petitioner was given the benefit of his past service and pursuant to the same, he was also promoted as Assistant Depot Clerk. He further stated that the petitioner's pay was also fixed acting upon the order passed by this Court and the difference of pay from 21.10.2011 up to his retirement was calculated and paid to him. Proceedings of the Regional Manager, Medak Region, Sanga Reddy, are also placed on record.

In that view of the matter, we find no disobedience, much less willful disobedience, to the order of this Court warranting exercise of contempt jurisdiction. In the event the petitioner has any grievance with regard to the calculation of the amounts due and payable to him pursuant to his being given the benefit of past service, he is at liberty to seek redressal of the same by way of separate proceedings as such a grievance cannot be addressed by this Court in contempt proceedings.

Subject to the above observation, the contempt case is closed. No order as to costs.

SANJAY KUMAR, J

U. DURGA PRASAD RAO, J

Date:19.12.2016

GJ