

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

CONTEMPT CASE No.1386 of 2017

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

This contempt case was instituted alleging wilful disobedience to the order dated 15.09.2016 passed by this Court in W.P.No.31085 of 2016. By the said order, while remanding the matter to the Andhra Pradesh Administrative Tribunal for consideration afresh of O.A.No.3319 of 2016 after setting aside the order dated 09.09.2016 passed therein, this Court directed that till a fresh order was passed, the interim order dated 24.08.2016 passed in the said O.A. would continue to operate. By the interim order dated 24.08.2016, the Tribunal had directed the authorities not to make any promotion to the vacancy at Sl.No.1, meant for Private Secretary. Alleging that the said vacancy has been filled up in violation of the order of this Court, the petitioner filed the present contempt case.

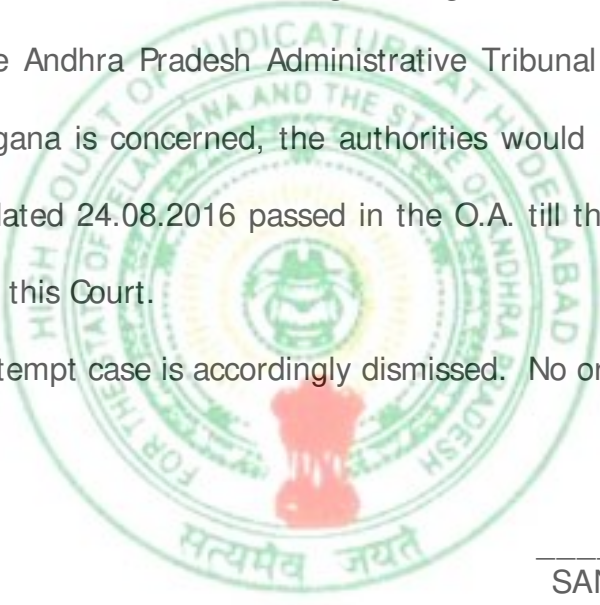
A counter-affidavit was filed by the Secretary to the Government, Finance Department, State of Telangana, wherein, while admitting that appointments were made to the posts of Assistant Secretary to the Government in excess of the cadre strength of eleven, the Secretary stated on oath that the post of Assistant Secretary to Government at roster point No.1, which was meant for the Private Secretary to Government, was carried forward in 2014-15 panel year; no panel was convened for the year 2015-16; and as per the directions of this Court, it was kept vacant in 2016-17 panel year and the roster point No.1 is still vacant.

This statement of the authorities made by way of a sworn affidavit is taken on record.

In the light of the same, the apprehension of the petitioner that the roster point No.1 which was earmarked for the Private Secretary has been filled up does not warrant further consideration. Even if excess appointments were made, the authorities maintain that roster point No.1 which was earmarked for the Private Secretary to Government is still kept vacant.

As the O.A. has now been transferred to this Court and is pending consideration before a learned single Judge, consequent upon the abolition of the Andhra Pradesh Administrative Tribunal in so far as the State of Telangana is concerned, the authorities would be bound by the interim order dated 24.08.2016 passed in the O.A. till the disposal of the writ petition by this Court.

The contempt case is accordingly dismissed. No order as to costs.

SANJAY KUMAR, J

M. SEETHARAMA MURTI, J

8th September, 2017
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