

HON'BLE SRI JUSTICE S.V.BHATT

C.C. No.2234 OF 2016

ORDER:

The petitioner complains wilful disobedience of order in W.P. No.24125 of 2003 dated 13.11.2015. The directions read as follows:

“... writ petition is disposed of directing respondents 1 to 3 to consider the representation if it is pending with them, if not petitioner is at liberty to present a fresh representation and on that respondents 1 to 3 to consider the representation in terms of G.O.Ms. No.203, Education dated 18-6-1999 and law laid down by this Court in MATHIRUPATHI REDDY v. GOVERNMENT OF ANDHRA PRADESH AND OTHERS (2000 (5) ALD 674) and also in G.R.V.PRASADA RAO v. STATE OF A.P. HIGHER EDUCATION DEPT. AND OTHERS (2001 (2) ALT 545) provided the petitioner is otherwise eligible.”

The Assistant Government Pleader for Higher Education places on record proceedings Rc.No.920/Admn-II-1/2015 dated 15.03.2017 and submits that the request of petitioner for promotion as Junior Lecturer is negatived. This Court is of the view that the merits or otherwise of proceedings dated 15.03.2017 cannot be examined in the contempt case. Though the respondents have issued proceedings beyond the time stipulated by this Court, firstly having regard to the totality of the circumstances, the contempt case is not proceeded with and liberty is granted to petitioner to challenge the proceedings dated 15.03.2017 in accordance with law. The contempt case is dismissed. No order as to costs.

The dismissal of the contempt case shall not be understood that this Court is accepting the merits in proceedings dated 15.03.2017.

S.V.BHATT,J

Date: 17.03.2017
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