

HONOURABLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No.877 OF 2017

Date : 14.7.2017

Between :

K Anjaiah S/o Ramaiah
45 years Occ: Asst Lineman
R/o Yehirajapuram village
Mellavheru mandal, Nalgonda district

Petitioner

And

Sri G Raghuma Reddy
CMD, Telangana State Southern Power Distribution Co Ltd
Mint Compound, Hyderabad

Respondents

The Court made the following:



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ORAL ORDER:

This Court on 5.2.2016 granted interim suspension of the proceedings dated 22.1.2016 whereby punishment of stoppage of two annual increments was imposed. It was alleged that as the order of punishment is suspended, petitioner is entitled for release of his increments and not releasing the increments amounts to deliberate disobedience of the directions issued by this Court.

2. When the matter was taken up for consideration on 16.6.2017, on behalf of the respondents, Government Pleader informed that by order dated 2.9.2016 increments were sanctioned to the petitioner. At this stage learned counsel for petitioner, on instructions from the petitioner stated that though on paper an order was passed sanctioning the increments, amounts due on account of sanctioning of the increments was not paid. Taking note of the said statement of the petitioner, Court prima facie expressed an opinion that there is no compliance of the directions issued, therefore, admitted the contempt case in so far as second respondent in the contempt case is concerned and Form-I notice was issued.

3. Second respondent is present and filed an affidavit dated 11.7.2017 explaining steps taken in pursuant to the interim orders of this Court. According to the deponent, increments were sanctioned and accordingly amount was also credited to the petitioner's account on 1.10.2016. In support of the said statement, bank statement of the petitioner is enclosed to the counter affidavit of second respondent. Bank statement would disclose that on 1.10.2016 an amount of Rs. 79,840/- was credited to the account of the petitioner towards arrears of increments

4. Thus, the bank statement would disclose that even before this Court admitted the contempt case, amount towards arrears of increments was paid.

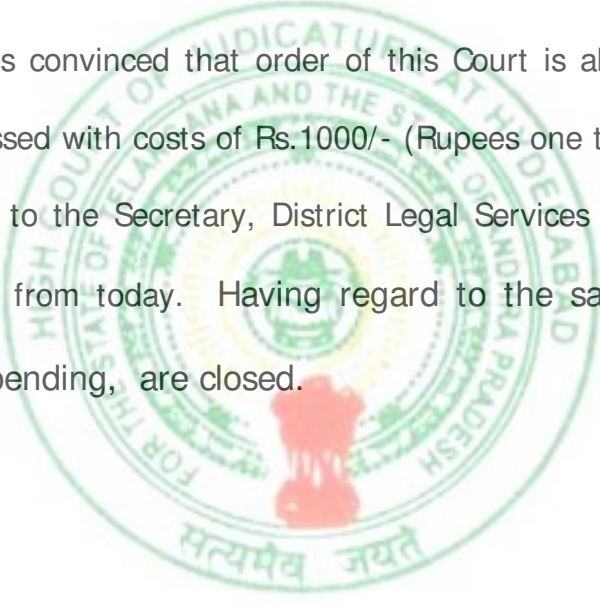
5. Because of the wrong instructions furnished by the petitioner to his counsel, this Court admitted the contempt case against second respondent and he was made to appear before this Court, even though by then, the order of this Court was complied. This conduct of the petitioner is not appreciated.

6. It appears now that petitioner informed his counsel that he made a mistake in informing about non-payment of arrears amount towards arrears of increments, whereas, those amounts were already paid. Petitioner should have taken steps well in advance to bring the said fact to the notice of this Court.

7. The Court is convinced that order of this Court is already complied and contempt is dismissed with costs of Rs.1000/- (Rupees one thousand only) to be paid by petitioner to the Secretary, District Legal Services Authority, Nalgonda within one month from today. Having regard to the same, miscellaneous petitions, if any pending, are closed.

DATE: 14.7.2017

TVK

P NAVEEN RAO,J

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