

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CONTEMPT CASE No.2293 of 2016

ORDER:

The Contemnor is present pursuant to the order passed by this Court on 14.07.2017.

2. This Contempt Case is filed alleging non-implementation of the order, dated 12.09.2016, in W.P.M.P.No.14197 of 2015 in W.P.No.35082 of 2013, which reads as follows:

“The main writ petition is filed seeking release of the retirement benefits to the petitioner and the petitioner quantified it at Rs.14,09,000/-. It appears that the petitioner himself is due an amount of Rs.4,79,768/- to the society and the petitioner disputes the said due of amount. However, the present application is filed by the petitioner seeking release of retirement benefits, leaving the disputed amount.

In view of the same, the respondents are directed to consider the case of the petitioner for release of retirement benefits after withholding any amount due from the petitioner within a period of 4 weeks from the date of receipt of a copy of this order, pending disposal of the present writ petition.”

3. Now a counter affidavit is filed stating that the proceedings issued on 17.12.2016 informing the petitioner as follows:

“In compliance to above orders, Sri V.U.Bhaskar, Manager (Retired) is informed that the retirement benefits has been worked out as per the proposal submitted by the Divisional Marketing Officer, Warangal and it is arrived payable net amount of Rs.2,34,740/- toward full and final settlement as detailed below:

01.	Gratuity	:	Rs.4,76,673.46
02.	P.L.Salary	:	Rs.2,66,880.00
03.	Cash Security Deposit	:	Rs. 887.53

Total (A): **Rs.7,44,440.99**

Less: Deduction

Staff personal a/c.	(-)	Rs.4,74,085.29
Staff suspense a/c.	(-)	Rs. 5,683.30
Others	(-)	Rs. 29,932.00
(Stoppage of (2) AGI, (1) AGI & Mahaboobabad theft case)		

Total Deuctions (B) : (-) Rs.5,09,700.59

Grand Total (A-B) Rs.2,34,740.40

Net amount payable Rs.2,34,740.00

(Rupees Two lakhs thirty four thousand seven hundred and forty only)

Further, keeping in view of the above, he is informed that an Account Payee Cheque bearing No.000112, dt.17.12.2016 for Rs.2,34,740.00 (Rupees Two lakhs thirty four thousand seven hundred and forty only) drawn on HDFC Bank, Himayathnagar Branch in favour of Sri V.U.Bhaskar is enclosed herewith towards full and final settlement of his retirement benefits.”

4. The said amount is disputed by the petitioner stating that he is entitled for an amount of Rs.10,00,000/- towards gratuity and he also disputed other amounts. But, since the main writ petition is pending, this Court is not inclined to go into merits of the case. Since the petitioner submits that the details with regard to payment of the amount also requires to be furnished and the respondent is willing to furnish the same, respondent shall furnish the details to the petitioner in order to better argue his case in the main writ petition.

5. Learned counsel for the petitioner further submits that on a wrong advice, the amount indicated in the proceedings, dated 17.12.2016, which was sought to be paid through a cheque, was not taken by the petitioner and he is willing to take the same subject to his contentions in the writ petition. Learned counsel for

the respondents also undertakes to issue a cheque to the petitioner if the petitioner approaches.

6. In view of the same, no further orders are required in the present Contempt Case and accordingly, it is closed.

Miscellaneous petitions, if any, pending in this Contempt Case shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

AUGUST 11, 2017

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO



CONTEMPT CASE No.2293 of 2016

Date: 11.08.2017

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