

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

C.C.No.22 OF 2017

ORDER

This contempt case is filed complaining willful disobedience on the part of the respondents in implementing the order dated 12.09.2016 passed by this Court in W.P.No.9873 of 2015 & batch.

While disposing of the said batch of writ petitions, this Court directed the respondents to re-draw the provisional list so prepared in terms of para 11 (f) of G.O.Ms.No.25, dated 4.4.2013 and prepare a final selection list and consider the case of the petitioners for appointment, if they come up in the final selection list.

When the matter came up for consideration on 9.6.2017, this Court directed the respondents to appear before this Court on 7.7.2017 for non-compliance of the order. On 7.7.2017, the contemnor appeared before this Court and sought time for re-drawing the selection list and this Court passed the following order:

“The second respondent is present in person and orally stated that because of the disinclination of the Government granting permission for complying with the order, orders could not be implemented. But, however, another attempt will be made by redrawing the list and would be submitted to the Government for approval.

This Court is not concerned with the approval of the Government. However, since the second respondent, in person,

stated as aforesaid, eight weeks time is granted for compliance with the order. If no orders are passed within the said period, further proceedings will be taken in the present contempt case.

Post after eight weeks.

The presence of the second respondent is dispensed with until further orders.”

After passing the said order, the 2nd respondent constituted a committee by proceedings dated 19.7.2017 to prepare and re-draw the selection lists in various categories of posts of PGTs in consultation with the Centre for Good Governance at Hyderabad, in order to submit necessary proposals to Government.

After taking some time, another counter-affidavit is filed on 3.11.2017 stating that the previous selection list was duly re-drawn keeping in view the order passed by this Court on 12.9.2016. It is further stated as follows:

“It is submitted that keeping in view of the orders dated 12.09.2016 of the Hon’ble Court and in terms of para 11 (f) of G.O.Ms.No.25, dated 4.4.2013, this respondent had re-drawn the previous selection lists duly deleting the candidates who fall under the following categories:

- i. The candidates who were absent for verification.
- ii. The candidates who failed to submit the certificates/do not have requisite qualifications.
- iii. The candidates who have selected/opted for dual categories of posts.

It is further to submit that the candidates of all other categories i.e., not joined, repatriated, resigned and expired etc., have been retained in the redrawn lists since appointment orders were already issued to those candidates and the appeals of some of the candidates are still pending. The detailed abstract of the deleted and retained candidates in the previous selection lists and newly selected candidates in redrawn selection lists, as para 11(f) of G.O.Ms.No.25, is enclosed herewith.”

From a perusal of the counter-affidavit, it is noticed that four candidates have come for selection and 16 candidates did not turn up for selection.

In view of the same, learned counsel for the petitioner pointed out that if the candidates who have not joined, repatriated, resigned and expired etc., have been retained in the redrawn lists also, there would not be chance for the remaining candidates for coming up under the Zonal selection.

But, this submission is beyond the scope of the order that was earlier passed by this Court on 12.9.2016.

As the re-drawal of the list is in compliance with para 11 (f) of G.O.Ms.No.25, dated 4.4.2013, the Contempt Case is closed. However, if any grievance remains to the petitioner, he is at liberty to take appropriate legal proceedings in accordance with law.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

15th November, 2017
rkk

