

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

Suo-Motu Contempt Case No.1103 of 2017

ORDER:

Heard the learned Assistant Government Pleader attached to the Office of the learned Advocate General and the learned Government Pleader for Services.

2. Suo-motu Contempt Case was initiated against the respondent on the ground that he passed an order on 21-01-2017 on the basis of an inquiry report dt.22-08-2016, which was admittedly set aside by this Court on 30-09-2016 in W.P.No.33760 of 2016, which was also confirmed in W.A.No.1143 of 2016 on 28-10-2016.

3. Counter-affidavit is filed by the contemnor stating that he retired from service on 31-03-2017 and that due to misconception, he took action against the petitioner in the W.P.No.19234 of 2017. He also tendered unconditional apology to this Court.

4. If the respondent had any doubt about understanding the Court order, he should have sought legal opinion instead of interpreting the order in his own way. Even if the respondent had retired from service, his action had resulted in the removal of petitioner in W.P.No.19234 of 2017 and the said party had to file a Writ Petition in this Court to set aside the said order. Therefore I am of the opinion that the apology offered by the respondent is not *bona fide* and the apology is rejected.

5. The respondent is directed to pay a fine of Rs.1,500/- (Rupees One Thousand and Five Hundred only) for his action in passing the order dt.21-01-2017 against the party in W.P.No.19234 of 2017, within four (04) weeks.

6. The Contempt Case is allowed to the above extent. No costs.

7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 28-07-2017

Vsv

