

*THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE U. DURGA PRASAD RAO*

CONTEMPT CASE No.2467 of 2016

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

This contempt case was instituted alleging willful disobedience to the order dated 04.04.2016 passed by this Court in W.P.No.24811 of 2009. By the said order, this Court found that the punishment of compulsory retirement from service imposed by the authorities upon the petitioner was harsh and disproportionate and accordingly set it aside. The petitioner was permitted to make a representation to the concerned authorities to consider his case and upon his making such an application, the authorities were directed to pass suitable orders thereon within a time frame.

We are informed that aggrieved by this order, the authorities approached the Supreme Court and by order dated 17.07.2017, while dismissing the Special Leave Petition preferred by the authorities, the Supreme Court granted six weeks time to them to comply with the order passed by this Court and dispose of the petitioner's representation.

We are now informed that pursuant to the aforestated extension of time granted by the Supreme Court, the Deputy Accountant General (Administration) & Disciplinary Authority, office of the Principal Accountant General (Audit), Telangana, Hyderabad, passed an order on 24.08.2017 upon considering the petitioner's representation dated 13.04.2016. By virtue of the said order, the petitioner is now visited with the punishment of reduction to the lower post of Clerk till the date of his superannuation.

The petitioner/party-in-person would contend that this order visits an unduly harsh punishment upon him.

However, we are of the opinion that this issue cannot be looked into by this Court in the present contempt case and in the event the petitioner has any grievance with regard to the order dated 24.08.2017, his remedy would be to assail the same by way of independent proceedings before the appropriate forum in accordance with law.

Granting liberty to the petitioner/party-in-person to do so, the contempt case is closed. No order as to costs.

SANJAY KUMAR, J

U. DURGA PRASAD RAO, J

Date:03.11.2017

GJ

