

HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE NO.920 OF 2016

Date: 18.07.2017

Between :

P.Mallikarjuna, E-426482, APSRTC Shramik,
S/o late Sri P.Veera Bhadrudu, aged about 24 years,
Koilkuntla Depot, R/o Koilkuntla, Kurnool Dist.

.... Petitioner

And

Sri Sambashiva Rao, IPS, The Managing Director,
APSRTC, Musheerabad, Hyderabad and others.

.... Respondents



This Court made the following :

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ORDER:

This Court disposed of the Writ Petition No.38041 of 2015 on 25.11.2015, setting aside the impugned order and remitted the matter to the Regional Manager to consider the claim of petitioner to provide appointment under the breadwinner scheme as Shramik as per his eligibility and suitability. Provision of such employment is subject to the mother of petitioner concerns giving up the compensation and accepts the provision of employment. Alleging violation of the said direction and not providing employment, this contempt case is filed. It is also contended that in fact proceedings were issued selecting the petitioner and deputing him for six months training; petitioner actually deputed for training and after undergoing training for ten days, he was withdrawn from the training.

2. Having regard to this submission and not satisfied with the earlier counter-affidavit filed, contempt case was admitted.

3. Officer is present. Additional counter-affidavit is filed. Along with the additional counter-affidavit, relevant documents are enclosed. Learned standing counsel pointed out that what was contained in the proceedings dated 04.07.2016, was only the proposal to select the petitioner and on such consideration, to depute him for training. However, the Depot Manager wrongly understood as if petitioner was selected and appointed, and deputed him for training. However, no training was imparted to the petitioner. Learned counsel submits that actually selections were made in March, 2017 and in the selection list, name of the petitioner was shown at serial number 23 out of 58 candidates and in the final selection list, his name was shown at serial number 18 and medical examination was done and shortly the petitioner would be deputed for training.

4. A bare perusal of the proceedings dated 04.07.2016, it is clear that no selection was made. What was indicated was only proposal to select the petitioner. However, the problem arose because of further direction issued by the Regional Manager to depute for training and indicating the Stipend payable. When it was only proposal for selection, there was no need to issue proceedings in that manner. This created confusion and, therefore, resulted in issuing further letter by the Depot Manager. The manner in which the averments are drafted in the counter-affidavit of 2nd respondent and the present additional counter-affidavit would show lack of seriousness in drafting the pleadings and in attending to the Court matters. In paragraph-6 of the earlier counter-affidavit, it is stated that as per the proceedings dated 22.03.2017, name of the petitioner stands at serial number 18, whereas actually in the said proceedings, name of the petitioner stands at serial number 23. On account of subsequent selection process, his name came down to serial number 18. Officer is warned to be very careful in future in drafting the pleadings and in dealing with the Court cases.

5. Having regard to the assurance given by the respondent-contemnor that shortly the petitioner would be deputed for training i.e., within a period of two weeks and by accepting the apology, contempt case is closed.

Miscellaneous petitions if any pending in the contempt case shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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