

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No.1096 OF 2017

Dated:29.12.2017

Between:

Ch. Ranjith Kumar, S/o. Laxma Reddy,
Aged about 38 years, Occ: Assistant
Motor Vehicle Inspector, O/o. District
Transport Office (DTO), Bhoopalpally,
Jaya Shanker District

.. Petitioner

And

Sri Sunil Sharma, Transport
Commissioner, Telangana State at
Hyderabad

.. Respondent



The Court made the following:

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ORDER:

By order dated 13.03.2017, W.P.No.8471 of 2017 was disposed of directing the Transport Commissioner to examine the claim of the petitioner for eligibility for promotion as Motor Vehicle Inspector and to pass orders as warranted by law, by assigning due reasons in support of his decision and communicate the same to the petitioner. Alleging disobedience of the said directions, this Contempt Case is filed.

2. On 29.06.2017, the Transport Commissioner passed order rejecting the request of the petitioner for promotion. With reference to comparison of petitioner with Y. Surender Reddy, it is stated that the certificate possessed by Y. Surender Reddy was not referred to CBCID enquiry, whereas the certificate possessed by the petitioner is referred to CBCID enquiry and is pending consideration by it and decision is taken not to effect promotions to the persons whose certificates are now under investigation.

3. As the issue is not very clear with reference to comparison of Y. Surender Reddy, this Court directed the Commissioner to file an affidavit. In the affidavit deposed by Sunil Sharma, Principal Secretary to Government, it is stated that Y. Surender Reddy obtained Diploma in Mechanical Engineering from the Government Polytechnic, Masab Tank, and was originally appointed as Assistant Engineer in Andhra Pradesh State Cooperative Rural Irrigation Corporation Limited and as he was declared surplus in the said Corporation, he was absorbed as Assistant Motor Vehicle

Inspector in Transport Department. It was also stated that he was granted promotion pursuant to the orders of Andhra Pradesh Administrative Tribunal.

4. It appears that no investigation is pending against the certificate obtained by Y. Surender Reddy, whereas investigation is pending against the certificate obtained by the petitioner. Thus, it cannot be said that the reasons assigned are blatantly erroneous and rejection of the claim of the petitioner is only made just to satisfy the Court of passing an order and to avoid being held guilty of contempt, as sought to be contended. No case is made out to proceed against respondent under the Contempt of Courts Act, 1971.

5. The Contempt case is accordingly closed. The respondent is discharged.

Date:29.12.2017

KH

P. NAVEEN RAO, J