

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

Suo-Motu Contempt Case No.1256 of 2017

ORDER:

Suo-motu Contempt Case was initiated against the respondent for passing an order dt.12-06-2017 dismissing the petitioner in W.P.No.20116 of 2017 without conducting any disciplinary enquiry and without furnishing copy of the enquiry report and in gross violation of the principles of natural justice and the order dt.30-09-2016 in W.P.No.33994 of 2016.

2. In the said order, this Court had specifically set aside the report of the Enquiry Officer dt.09-08-2016 and earlier order imposing punishment on 22-09-2016 and relegated the matter to the Enquiry Officer to take further action as per the directions contained therein.

3. In gross violation of the said order, without any further enquiry subsequent to the order being passed by this Court, the respondent had passed the order dt.12-06-2017.

4. In the affidavit filed by respondent, he stated that under misconception that the competent authority was permitted to proceed against the petitioner in W.P.No.20116 of 2017, he had issued the termination order. He also tendered unconditional apology to the Court.

5. The respondent cannot blatantly violate the order passed by this Court and simply submit an apology to wriggle out of the

consequences. The order passed by this Court is clear and unambiguous. If the respondent entertained any doubt, he should have sought legal opinion as to what is to be done. Therefore, I decline to accept the apology given by respondent since I am of the opinion that the apology is not *bona fide*.

6. Therefore the Contempt Case is allowed and the respondent is sentenced to pay fine of Rs.1,500/- (Rupees One Thousand and Five Hundred only) within four (04) weeks. 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

