

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No.1547 OF 2017

Dated:22.12.2017

Between:

Mohd. Yousuf, S/o. Smt. Abbas,
Aged 45 years, R/o.1-7-106,
Risala Khursheed Jahi,
Musheerabad, Hyderabad

.. Petitioner

And

G. Ramesh, the District Educational
Officer, Inside Alya College, Gunfoundry,
Hyderabad, Telangana

.. Respondent



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No.1547 OF 2017

ORDER:

W.P.No.14155 of 2017 was disposed of by order dated 21.04.2017 directing the 4th respondent to consider the claim made by the petitioner in the representation dated 10.04.2017 and the earlier proposal submitted by the Deputy Educational Officer, Dated 13.02.2017 and to pass orders within a period of two months from the date of receipt of a copy of the order. Alleging violation of the said directions, this Contempt Case is filed.

2. As compliance was not reported, contempt case was admitted and notice in Form - I was issued. Officer is present. Affidavit deposed by Sri G. Ramesh is filed. Along with the said affidavit, the proceedings dated 20.12.2017 are also filed.

3. Learned Government Pleader for School Education submits that the representation of the petitioner is considered in the light of the directions issued by the Court and having found that the petitioner is not entitled to claim employment on compassionate grounds, his claim is rejected.

4. Learned counsel for the petitioner sought to contend that the decision now made does not amount to compliance of the directions issued by this Court as the reasons assigned are not valid.

5. The direction of the Court is to consider the representation based on the proposal submitted and to pass orders. As no

positive direction was issued, the Court cannot go into the reasons assigned in support of the decision and the petitioner has to work out his remedies as available in law, if he is so aggrieved.

6. However, it is noticed that the order was passed on 21.04.2017 granting two months time from the date of receipt of a copy of the order. According to petitioner, the order of the Court was reported to respondent in May, 2017. According to the respondent, he received the official copy of the order on 23.06.2017. He was required to pass orders within two months, whereas the orders were passed only on 05.12.2017. In the affidavit, the deponent states that he was also given additional charge as the Principal of Government, I.A.S.E., Masab Tank, and Regional Joint Director of School Education, Hyderabad, and because of the additional responsibilities, he could not report compliance in time and expressed unconditional apology.

7. The apology expressed by the respondent is accepted. As per the clarification of learned Government Pleader, it is made clear that having noticed defects in the order dated 05.12.2017, in super-session of the said order, a fresh order is passed on 20.12.2017 and the said order is now in operation.

8. The Contempt Case is accordingly closed. It is open to the petitioner to avail appropriate remedies as available in law, if so advised. The contemnor is discharged.

P. NAVEEN RAO, J

Date:22.12.2017

KH