

HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE NO.1115 OF 2017

Date: 13.10.2017

Between :

G.Shashi Kumar S/o. G.Mallaiah, Aged about 29 years,
Occu: Conductor, E.No.801634, R/o.1-25, Kothoor (D),
Chinathalgatt Post, Kothur Mandal, Sangareddy District.

.... Petitioner

And

Sri G.V.Ramana Rao, Managing Director, Telangana State
Road Transport Corporation, Bus Bhavan, Musheerabad,
Hyderabad and another.

.... Respondents



This Court made the following :

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ORDER:

Petitioner challenges order of his suspension from service dated 07.01.2017. By judgment dated 22.03.2017, W.P.No.2666 of 2017 was allowed setting aside the order of suspension. Alleging in action in implementing the said order, this contempt case is filed.

2. Counter-affidavit is filed by 2nd respondent. Along with counter-affidavit, copy of proceedings dated 15.06.2017 is enclosed. Order of suspension was revoked by the said order and petitioner was directed to approach Regional Manager for further posting orders. By order dated 23.06.2017, Regional Manager posted the petitioner to Narayanakhed depot.

3. Learned counsel for petitioner sought to contend that as order of suspension is set aside, petitioner was required to be put back in the place where he was working prior to the suspension order and, therefore, he should have been continued in Zaheerabad depot and could not have been transferred to Narayanakhed depot.

4. This Court did not deal with the issue of posting. Court only dealt with suspension from service and set aside the order of suspension. Thus, it cannot be said that respondents violated the directions of the Court on the ground that in stead of retaining the petitioner in Zaheerabad depot, transferred him to Narayanakhed depot.

5. Learned counsel for petitioner sought to contend further that petitioner has not reported to duty on the ground that he was wrongly transferred to Narayanakhed depot and such action is arbitrary and discriminatory. In contempt proceedings, Court cannot go into issue

whether transfer was validly made and whether authority competent has acted arbitrarily in transferring petitioner and, therefore, petitioner has to work out his grievance on that aspect.

6. However, since order of suspension is set aside, petitioner is deemed to be in service from the date when he was placed under suspension and he is entitled to all the benefits as if he is in service. It appears, so far benefits are not paid treating petitioner as on duty.

7. On instructions, learned standing counsel sought to contend that as petitioner is yet to report, steps are not taken for payment of benefits treating him as on duty from 07.01.2017 and assures the Court that as and when petitioner reports to duty, order of this Court would be complied in full. Taking note of said assurance, Contempt Case is closed. It is open to petitioner to work out his remedies on any other grievance.

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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