

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

C.C.No.269 of 2018

in

W.A.No.914 of 2017

Date: 09.02.2018

Between:

Mohd.Allauddin, S/o.Late Mohd. Azeemuddin,
Aged about 47 years, Occ: Driver,
TSRTC (Prior to bifurcation known as APSRTC),
No.800033 of Gajwel Pregnapur Depot,
Medak district R/o.H.No.6-36/2, Yerra Kunta Barkas,
Hyderabad-05 (Gpp Depot comes
now under Siddipet District)

... Petitioner

And

Sri G.V.Ramana Rao Garu,
Vice Chairman & Managing Director,
TSRTC, Bus Bhavan, RTC X Roads,
Musheerabad, Hyderabad & two others

... Respondents

Counsel for the Petitioner : Mr. Mohammed Ghouseuddin

Counsel for the Respondents: Mr. N.Praveen Reddy for
Mr.N.Vasudeva Reddy
Standing Counsel for
TSRTC

The Court made the following:

Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This contempt case is filed alleging willful disobedience of order dated 28.08.2017 in writ appeal No.914 of 2017. By the aforementioned order, this Court while allowing the writ appeal filed by T.S.R.T.C., following the judgment of the Supreme Court in Civil Appeal No.3529 of 2017 and batch, permitted the petitioner to make a detailed representation to the respondent, with a direction to the latter to consider the representation and pass a detailed speaking order within two months and communicate the same to the petitioner. Alleging that the respondents have deliberately violated the said order by not passing any order as directed by this Court, the petitioner filed this contempt case.

2. At the hearing, learned Standing Counsel for respondents submitted that the Regional Manager, Medak Region, Sangareddy, who is the competent authority to consider the representation of the petitioner, has passed a detailed order dated 07.02.2018 and a copy of the same has been placed before us, after service of the same on the counsel for the petitioner.

3. Mr.Ghouseuddin, learned counsel for the petitioner, submitted that the respondents who failed to pass an order within the stipulated time, have hurriedly passed the aforementioned order to escape contempt. Mr.N.Praveen Reddy, learned Standing Counsel, invited our attention to the contents of paragraphs 3 and 4 of the representation made by the petitioner and submitted that as the petitioner was critical of the approach of this Court in allowing the writ appeal, the respondents were hesitating to take a decision and that finally, on the legal advice, they have passed the order on 07.02.2018.

4. A perusal of the contents of paragraphs 3 and 4 of the representation shows that the grievance of the petitioner against this

Court in allowing W.A.No.914 of 2017, has been expressed by the petitioner, obviously without realizing the fact that if the petitioner was aggrieved by the order in the writ appeal, the appropriate remedy for him was to file an appeal before the Supreme Court. Having accepted the order of this Court, the petitioner cannot be expected to be critical about the order passed by this Court in his representation to the Corporation. Be that as it may, we do not intend to take unsatisfactory conduct of the petitioner seriously, as obviously, he was advised by his lawyer to draft such a representation. In any event, as the respondents have already passed an order, albeit after the expiry of the time stipulated by this Court, and in the facts and circumstances of this case, the contempt case is dismissed with liberty to the petitioner to avail appropriate legal remedies, if he is aggrieved by order dated 07.02.2018.



(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Date: 9th February, 2018

msb