

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

CONTEMPT CASE No.145 of 2017

ORDER:

This Contempt Case is filed by petitioners alleging willful disobedience of the order dt.18-11-2016 in W.P.M.P.No.54030 of 2015 in W.P.No.41896 of 2015.

2. In the said order, this Court directed the respondents to pay salaries of the petitioners according to the pay scale applicable to petitioners in the cadre of Junior Assistant from September, 2015 till date and also in future, pending disposal of the Writ Petition.

3. W.V.M.P.No.1508 of 2017 was filed to vacate the said order.

4. The said W.V.M.P. was dismissed on 26-08-2017.

5. The respondents carried the matter in W.A.No.420 of 2018. The said Writ Appeal was also dismissed on 28-09-2018 confirming the orders passed on 28-06-2017 in W.V.M.P.No.1508 of 2017 in W.P.M.P.No.54030 of 2015 in W.P.No.41896 of 2015.

6. It is stated by the learned Special Government Pleader appearing for respondents that respondents have preferred a S.L.P. before the Supreme Court challenging the order of the Division Bench dt.28-09-2018 in W.A.No.420 of 2018.

7. But it is not denied by the learned Special Government Pleader that no stay of the proceedings either in Contempt Case or of the order dt.28-09-2018 in W.A.No.420 of 2018 was granted in the SLP.

8. Since more than 2 months have elapsed since the order in Writ Appeal was passed, and since more than 2 years have elapsed since order dt.18-11-2016 in W.P.M.P.No.54030 of 2015 in W.P.No.41896 of 2015 was passed, and since no valid reason is given in the counter-affidavit filed by 2nd respondent for not implementing the said order, this Contempt Case is allowed, and the 2nd respondent is sentenced to pay fine of Rs.2,000/- (Rupees Two Thousand only) as well as imprisonment for a period of one month. The sentence of imprisonment imposed on 2nd respondent is suspended for a period of six (06) weeks. The petitioners shall deposit subsistence allowance of Rs.300/- (Rupees Three Hundred only) per day within four (04) weeks. No costs.

9. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 30-11-2018
Vsv