

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN
AND
HON'BLE Ms. JUSTICE J. UMA DEVI**

CONTEMPT CASE No.746 of 2018

ORDER: *(Per the Hon'ble Sri Justice Ramesh Ranganathan)*

Alleging violation of the orders passed by a Division Bench of this Court, in W.P.No.19171 of 2015 and batch dated 21.09.2017, C.C.No.774 of 2018 and batch were filed, and a Division Bench of this Court in its order dated 06.04.2018 observed that no directions were issued to the respondents in the writ petition to extend the benefits of the Career Advance Scheme and the Automatic Advancement Scheme to the petitioners therein; if the petitioners were entitled for such benefits, consequent on the Act being struck down, it was for them to seek appropriate reliefs in independent legal proceedings; and, unless the order of this Court is held to have been violated willfully and deliberately, the contempt jurisdiction of this Court could not be invoked.

The present Contempt Case is filed alleging violation of the order passed by this Court in W.P.No.2927 of 2008 dated 23.08.2017. This writ petition formed part of W.P.No.3460 of 2010 and batch and, following the law declared by the Division Bench of this Court, in ***Y. Sidda Reddy v. Government of Andhra Pradesh & Others***¹, the Andhra Pradesh Private Aided Educational Institutions Employees (Regulation of Pay) Act, 2005, was declared unconstitutional.

¹ 2006 (3) ALD 546 (DB)

Even in W.P.No.3460 of 2010 and batch (which included W.P.No.19171 of 2015), no consequential directions were issued to the respondents. Any benefit to which the petitioners are entitled to, as a consequence of the Act being declared *ultra vires*, can only be sought in independent legal proceedings, and not by invoking the contempt jurisdiction of this Court.

The Contempt Case is, accordingly, dismissed. There shall be no order as to costs.


(RAMESH RANGANATHAN, J)

(JUSTICE UMA DEVI)

Date: 17.08.2018
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