

THE HONOURABLE SRI JUSTICE M.GANGA RAO

CONTEMPT CASE No.2473 OF 2016

ORDER:

This Contempt Case is filed complaining non compliance of the orders, dated 18.12.2003 in Writ Petition No.24508 of 2002.

Writ Petition No.24508 of 2002 was disposed of with the following directions, on 18.12.2003:

“ It is agreed by the learned counsel for the respective parties that the issues involved in this writ petition are covered by the Judgment of this Court, dated 11.11.2003 in W.P.No.24197 of 2002.

The writ petition is accordingly allowed in terms of the aforesaid Judgment.”

The operative portion of the orders passed in W.P.No.24197 of 2002, dated 11.11.2003 reads as under:

“On the analysis above, the writ petition is allowed declaring that the petitioners are entitled to payment of arrears of salary and other allowances to which they are entitled in the light of the provisions of the office order dated 31.5.2001 upto the period they were in employment of the 1st Respondent-Company i.e., 31.3.2001, notwithstanding that they ceased to be employees of the 1st Respondent w.e.f. 31.3.2001 on VRS terms. It

is further declared that the petitioners are entitled to the benefits of revision of VRS compensation and to payment of differential amount of such compensation after deduction of the amounts that they have already drawn consequent on leaving the service of the Company on VRS terms, on the basis of revised pay scales and other benefits under the office order of the 1st Respondent dated 31.1.2001.”

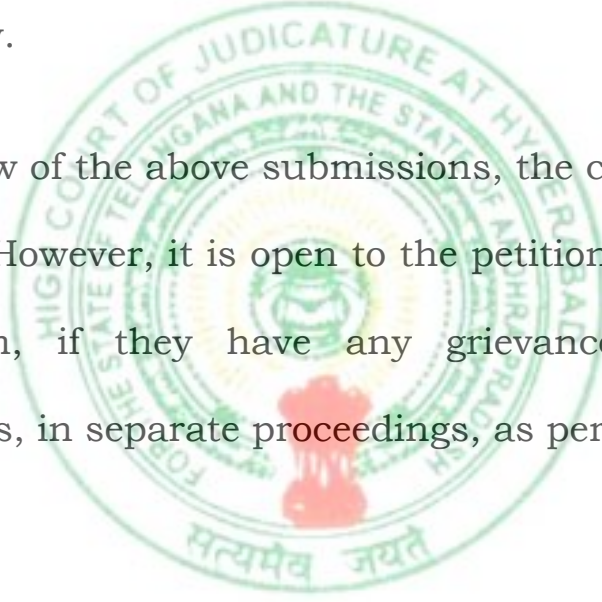
The learned counsel for the contempt petitioners submits that the petitioners are entitled for 60 days VRS compensation amounts in terms of the VRS Scheme as directed in the orders passed by this Court in W.P.No. 24197 of 2002, dated 11.11.2003, whereas the respondents calculated VRS amounts for 45 days for completed years of service, contrary to the orders of this Court dated 11.11.2003, thereby violated the orders of this Court.

The learned counsel for the respondents 1 and 2 submits that in pursuance of the said orders, dated 11.11.2003, the respondents calculated the compensation amounts payable to the petitioners as per VRS terms and the difference amount was paid to them, after deducting the amount already paid, as per the calculation sheet filed along with Memo of Compliance,

dated 30.01.2018, in compliance of the orders passed in W.P.No.24508 of 2002, dated 18.12.2003.

This Court cannot undertake enquiry about the correctness of the calculations, under the provisions of Contempt of Courts Act, to punish the respondents. In view of the Memo dated 30.01.2018 along with the calculation sheet, this Court found that the respondents have not flouted the orders of this Court willfully and deliberately.

In view of the above submissions, the contempt case is closed. However, it is open to the petitioners to agitate their claim, if they have any grievance about the calculations, in separate proceedings, as per law.



JUSTICE M.GANGA RAO

Date: 08.03.2018

slk