

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CONTEMPT CASE No.2569 OF 2016

ORDER:

This Court, by order, dated 07.06.2016 in W.P.No.496 of 2015 set aside the order of termination of the petitioner, dated 05.11.2014, giving liberty to the fifth respondent Society to conduct an enquiry and take appropriate action in accordance with law.

Now it is stated that an order was passed on 28.11.2017 terminating the service of the petitioner once again as per the procedure envisaged under the bye-laws of the Society.

The learned counsel for the petitioner submits that in view of setting aside the order of termination dated 05.11.2014, he is entitled for payment of wages along with consequential benefits including the increments from 05.11.2014 to the date of termination on 28.11.2017. An amount of Rs.1,00,000/- was paid in two instalments when the contempt case is pending. There is a dispute with regard to entitlement of the petitioner and neither the petitioner nor the respondent filed any evidence with regard to wages drawn by the petitioner on 05.11.2014 and the consequential increments, of which he is entitled as a result of setting aside the order of termination, dated 05.11.2014.

In the circumstances, the respondents are directed to calculate the wages payable to the petitioner consequent to the setting aside the order of termination, dated 05.11.2014 to the date of next increment and allowing the increments till the date of termination on 28.11.2017 and the balance amount after deducting an amount of Rs.1,00,000/-, which was already paid to the petitioner, shall be paid to the petitioner within four weeks from the date of receipt of a copy of this order and if the respondents violate this order, it is open to the petitioner to move another

contempt case. However, this order will not preclude the petitioner from challenging the order of termination, dated 28.11.2017.

The contempt case is accordingly disposed of.

A.RAMALINGESWARA RAO, J

13.04.2018
pln

