

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD**

CONTEMPT CASE No.783 of 2017

16.03.2018

Between:

P.Venkateshwarlu

..Petitioner

and

Ramudu, Superintending Engineer,
(S.E.) A.P.C.P.D.C.L., (now T.S.S.P.D.C.L.) Mahaboobnagar

..Respondent

Counsel for the petitioner: Mr.D.L.Pandu

Counsel for the respondent: None appeared

The Court made the following:



ORDER:

This Contempt Case is filed alleging wilful disobedience of order, dated 28.09.2016, in W.A.No.919 of 2016.

2. This is a case where the petitioner, while on duty as a contract labourer of the Telangana State Southern Power Distribution Company Limited (T.S.S.P.D.C.L.), lost his valuable limb i.e., right hand. His claim for employment having been rejected by the learned Single Judge, we have interfered in W.A.No.919 of 2016 by observing that though in *stricto sensu*, a contract labourer, working under a contractor, may not have the right to claim employment, one cannot ignore the ground reality that in whatever capacity the petitioner was made to work, he has lost his valuable limb while serving the respondent – T.S.S.P.D.C.L., which undoubtedly, is ‘State’ within the meaning of Article 12 of the Constitution of India and accordingly, we have held that the claim of the petitioner for employment cannot be altogether ignored by the respondent. A direction was, therefore, issued to the respondent to consider engaging the petitioner, at least, on contingency basis, if not, on permanent basis.

3. Without due regard to the sentiments expressed by this Court, the respondent has rejected the claim of the petitioner for being appointed as a contingent employee. On 02.02.2018, we have expressed our unhappiness at the inhuman approach of the respondent and when we were about to admit the Contempt Case, at the request of the learned Standing Counsel for T.S.S.P.D.C.L. appearing for the

respondent, we have adjourned the case on the assurance that the respondent will re-consider its stand in the light of the observations made in the order in W.A.No.919 of 2016. On 16.02.2018, a proceeding was placed before us by the learned Standing Counsel appointing the petitioner as an Office-Boy, on contingent basis, on a monthly remuneration of Rs.5,000/- (Rupees five thousand only). We have taken exception to the approach of the respondent in fixing the meagre remuneration, which is in violation of the principles of natural justice. To give one more opportunity to the respondent to take corrective steps, we have adjourned the case. The respondent has now filed a counter-affidavit, wherein it has stated that the earlier memo has been modified by a fresh memo, dated 24.02.2018, revising the consolidated wage of the petitioner to Rs.12,000/- (Rupees twelve thousand only). With the revision of the wage, we feel satisfied that the petitioner has secured some justice at the hands of the respondent.

4. In the light of the above facts, the Contempt Case is closed.

5. As a sequel to closure of the Contempt Case, C.A.No.328 of 2017 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

16th March, 2018
GHN

