THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.1561 OF 2018

DATED :31.08.2018

Between :

S/o.M.Ravi S/o.M.Naidu, Alias Venkataswamy,
Aged about 60 yrs, Assistant Lecturer,
M.R.K.Polytechnic College,
Veeravasaram, R/o.4-42, Main Road,
West Godavari District, Andhra Pradesh
.. Petitioner

And

V.Satyanarayan S/o.Adinarayana,
Secretary and Correspondent,
M.R.K.Polytechnic College,
Veeravasaram, West Godavari District,
Andhra Pradesh.
.. Respondent

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते

This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.1561 OF 2018

ORDER :

This Court by order dated 15.12.2017 made in W.P.M.P.No.52859 of 2017 in W.P.No.42620 of 2017 passed the following order :

> ***"It is represented by the learned Senior Counsel for the petitioner that the petitioner worked for two years from the age of 58 years to 60 years and the salary is not being paid for the said period.***
>
> ***In the circumstances, there shall be a direction to respondent No.4 to consider the payment of salary to the petitioner for the service rendered by the petitioner from 01.08.2015 to 31.07.2017 pending disposal of the Writ petition."***

2. Alleging violation of the said direction, this contempt case is filed.

3. As the compliance was not reported, this Court by order dated 10.08.2018 directed for reporting compliance or appearance of the officer concerned.

4. Counter affidavit is filed. Along with the counter affidavit, a copy of the letter dated 23.08.2018 addressed to the petitioner is enclosed. By this letter petitioner was informed that as the interim order by which he continued in service subsequently merged into final order, he is not entitled to claim salary and allowances for the said service.

5. Learned Senior counsel, sought to contend that the view expressed by the Management is not valid in law and as petitioner worked during the said period, he is entitled to pay and allowances.

6. However, the issue whether petitioner is entitled to pay and allowances for the period can be gone into in independent proceedings. As seen from the order of this Court, this Court directed the 4th respondent in the writ petition to consider the payment of salary to the petitioner and the said issue was considered and decision is made by the Management. It cannot be said that such decision would be amounting to deliberate and willful disobedience of the orders of this Court warranting continuation of contempt proceedings.

7. Accordingly, the Contempt Case is closed. The contemnor is discharged from the contempt proceedings. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

31st August, 2018
Rds