

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CONTEMPT CASE NO.480 OF 2017

DATED:08-06-2018

Between:

Suvvari Divya

... Petitioner

And

P. Lakshmi Narasimham
and others

... Respondents

COUNSEL FOR THE PETITIONER: Mr. Krishna Manohar,
for Mr. C. Raghu

COUNSEL FOR RESPONDENT NOS.1 and 2: Assistant
Government Pleader
(AP)

COUNSEL FOR RESPONDENT NO.3: Mr. Ravi Cheemalapati

THE COURT MADE THE FOLLOWING:

ORDER:

This contempt case is filed alleging wilful disobedience of interim order dt.10.02.2016 in W.P. No.4111 of 2016.

By the aforementioned order, this Court has granted interim stay of distribution of the amounts under the works identified in Resolution Nos.584 and 627, dated 29.12.2015, of respondent No.4 in the writ petition, ie., Zilla Praja Parishad, Srikakulam, represented by respondent No.2. Admittedly, the aforementioned Resolutions, in respect of which the interim order referred to above was passed, are related to National Rural Employment Guarantee Scheme (NREG Scheme). The petitioner pleaded in this contempt case that in order to overcome the interim order of this Court, the same fourteen villages, for which the Zilla Praja Parishad has sanctioned the funds under the NREG Scheme, have been chosen for allotment of funds under Special Development Package (SDP) by enhancing the share from 10% to 50%.

The learned counsel for the petitioner argued that by cherry picking the same fourteen villages, which were favoured with the allocation of funds under the NREG Scheme for execution of works relating to which the order of stay was granted by this Court, for allotting the SDP funds to them, the

respondents have circumvented the order of this Court. This submission of the learned counsel for the petitioner cannot be termed as wholly without basis inasmuch as the same fourteen villages, which were *prima facie* found to have been cherry picked for allotment of NREG Scheme funds, have been chosen for allotment of SDP funds. However, the scope of the contempt being limited as to whether the respondents have wilfully violated the interim order of this Court and the interim order having been confined only to allotment of funds relating to the NREG Scheme, continued favourable treatment shown to the said fourteen villages cannot be viewed as an act of contempt. If the petitioner feels aggrieved by the allotment of SDP funds to the same fourteen villages, she shall be free to avail a fresh legal remedy in order to question the same.

Subject to the liberty given as above to the petitioner, the contempt case is dismissed.

C.V. NAGARJUNA REDDY, J

08-06-2018

bnr

