

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

CONTEMPT CASE NO.1218 OF 2011

ORDER: (per SK,J)

This contempt case was instituted alleging wilful disobedience to the order dated 28.09.2010 passed by this Court in W.A.No.691 of 2010. A portion of the order relevant for the purpose of this contempt case reads as under:

‘...That being the stance the writ court disposed of the writ petition with a direction to the respondents to consider the petitioner’s claim for consequential benefits on the touchstone of Manjeera Grameena Bank Staff Regulations, 1983. The order is questioned because of denial of a writ to treat the appellant in service for the purposes of consequential benefits. But the impediment for the petitioner is that he was out of service because of the legal infirmity suffered by him by his conviction. Situated thus interference is declined. At this stage, the learned counsel restricted his claim to the benefit that accrues to him from the date of his reinstatement. In that view of the matter, we leave the respondents free to consider the same on the touchstone of the Rules/Regulations governing the field as expeditiously as possible at any rate within a period of three months to be reckoned from the date of copy of this order is served upon the competent authority. Disposed of.’

As per the counter-affidavit filed by the respondent-bank through its Chairman, the entitlement of the petitioner to benefits after his reinstatement on 03.11.2005 was duly considered and he was paid a sum Rs.5,20,328/- on 28.04.2011. As the petitioner himself restricted his claim in the writ appeal to the benefits that accrued to him from the date of his reinstatement, it is clear that he cannot seek any such benefits in relation to the period prior to his reinstatement notwithstanding the developments in the criminal case.

Sri M.Rama Rao, learned counsel appearing for the petitioner, would however state that the benefits due to the petitioner even after his reinstatement have not been worked out properly in accordance with the rules and regulations applicable to the bank.

We are of the opinion that this aspect of the matter cannot be examined in exercise of contempt jurisdiction. In the event the petitioner has any grievance in this regard, it would be necessary for him to seek redressal thereof by way of independent proceedings in accordance with law and not in this contempt case.

The contempt case is accordingly closed leaving it open to the petitioner to avail appropriate remedies in accordance with law with regard to the computation of his benefits after his reinstatement, if he so chooses. No order as to costs.



SANJAY KUMAR,J

M.GANGA RAO,J

Date:05.11.2018

GJ