

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No.2344 OF 2016

Dated:10.08.2018

Between:

Ch. Vijaya Bhaskar,
S/o. Late Venkateswarlu,
Aged about 35 years,
R/o.H.No.11-33-945, Vengalarao
Nagar, Kavali, SPSR Nellore District .. Petitioner

And

Sri N. Sambasiva Rao,
S/o. not known, aged
Not known to the petitioner,
Managing Director, APSRTC,
Bus Bhavan, Hyderabad and others .. Respondents



The Court made the following:

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ORDER:

Heard.

2. By order dated 08.10.2015, this Court in W.P.No.32832 of 2015 passed the following order:

“Notice before admission.

There shall be interim direction to the respondents 1 to 3 not to disburse the retiral benefits of the deceased employee Ch. Venkateswarlu until further orders.

Post after Dasara Vacation of 2015.”

3. Categorical assertion of learned counsel for petitioner is, even after the order was communicated to the respondent - Corporation, the respondent - Corporation went on releasing the amounts and thereby violated the directions of the Court. In support of the contention that amounts were released after the order was passed, petitioner relied on the information furnished to him on the application filed under the Right to Information Act. However, it is not in dispute that as per the said information, the only amount which was released after receipt of the copy of the order was on 18.10.2015 to the extent of Rs.2,70,614/-. Further, it is not in dispute that even according to petitioner, copy of the order was communicated on 17.10.2015.

4. In the counter affidavit filed by the Regional Manager of the respondent – Corporation, it is averred that the order copy was received by the respondent - Corporation on 17.10.2015 and after receipt of the copy, no further amount was released by it. According to respondent – Corporation, the un-disbursed amounts

are 10% of Gratuity, SRBS and settlement of salary. Though the amount of Rs.2,70,614/- was lying in the account of CCS and the said amount was paid by the Society, the respondent – Corporation is no way concerned with it. This fact is not denied by the petitioner. Thus, it cannot be said that the respondents have violated the directions of this Court warranting initiation of contempt proceedings against them.

5. The Contempt Case is accordingly closed.

Date:10.08.2018

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P. NAVEEN RAO, J

