

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD
CONTEMPT CASE No.3108 of 2018

30.11.2018

Between:

Abid Ali

..Petitioner

and

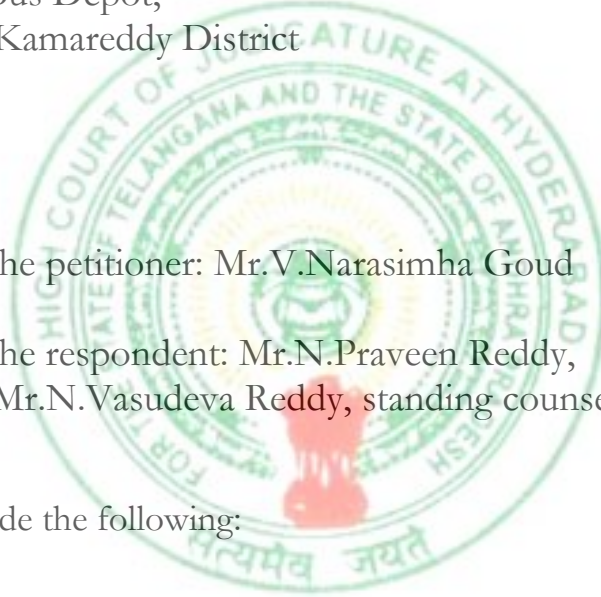
B.Anjaneyulu
Deputy Manager, T.S.R.T.C.,
Kamareddy Bus Depot,
Kamareddy, Kamareddy District

..Respondent

Counsel for the petitioner: Mr.V.Narasimha Goud

Counsel for the respondent: Mr.N.Praveen Reddy,
for Mr.N.Vasudeva Reddy, standing counsel for T.S.R.T.C.

The Court made the following:



ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This contempt case is filed alleging willful disobedience of judgment, dated 29.08.2017, in W.A.No.1226 of 2017.

2. We have heard Mr.V.Narasimha Goud, learned counsel for the petitioner, and Mr.N.Praveen Reddy, learned counsel representing Mr.N.Vasudeva Reddy, learned standing counsel for the Telangana State Road Transport Corporation (T.S.R.T.C.).

3. By the aforementioned judgment, this Court has partly allowed the Writ Appeal by awarding 1/3rd of the backwages to the petitioner.

4. The learned counsel for the respondent has submitted that aforementioned judgment of this Court was stayed by the Supreme Court and that therefore, the respondent will not be liable to pay the backwages till further orders are passed by the Supreme Court. He has further submitted that after the filing of the contempt case, a sum of Rs.8,00,000/- was paid to the petitioner towards gratuity; that the amounts under Provident Fund (P.F.), Family

Pension (F.P.), Staff Retirement Benefit Scheme (S.R.B.S.), Staff Benevolent Fund Scheme (S.B.F.S.) and Cooperative Credit Society (C.C.S.) etc., could not be paid as the petitioner has not applied for payment thereof in prescribed *pro forma* and that as and when such applications are filed by the petitioner, the respondent would consider payment of the same.

5. In our opinion, as the relief in the writ appeal was confined only to the backwages, non-payment of the amounts under various heads mentioned above does not constitute violation of the judgment of this Court in the Writ Appeal.

6. The Contempt Case is, accordingly, dismissed, however, leaving the petitioner with liberty to avail appropriate legal remedy, if the respondent does not pay the retiral benefits under the aforementioned heads.

C.V.NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

30th November, 2018

GHN