

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.2201 OF 2017

DATED :23.02.2018

Between :

A.Chalapathi Rao S/o.A.Satyanarayana,
Aged about 47 yrs, Occu : Clerk,
O/o.Integrated Tribal Development Agency, Bhadrachalam,
Kothagudem District, presently Khammam District.
.. Petitioner

And

Sri Rajeev Gandhi Hanumanthu
Project Officer, Integrated Tribal Development Agency,
Bhadrachalam, Kothagudem District.
.. Respondent



This court made the following :

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ORDER :

By order dated 06.04.2017 the Court passed the following interim order :

“Subject to determination of petitioner’s eligibility to hold regular post and if the petitioner is working against the regular post, respondents are directed to grant the minimum time scale of pay attached to the said post.”

2. Alleging violation of the said order that minimum of the time scale of pay is not paid, this contempt is filed.

3. Learned Government pleader by taking through the counter affidavit filed on behalf of the respondent states that petitioner’s services were utilized as electrician on daily wage basis and that there is no post of electrician. Therefore, the question of payment of minimum time scale of pay does not arise. He further states that he was not working against the regular post to grant him the scale attached to the post.

4. When there is no sanctioned post of electrician, there cannot be fixation of scale of pay to that post and therefore, it cannot be alleged that the minimum of time scale attached to the post of electrician is required to be paid. That being so, it cannot be said that the respondent violated the direction of this Court much less deliberate and wilful warranting continuation of proceedings under the Contempt of Courts Act. It is needless to observe that the issue of entitlement of petitioner’s regularization and all other benefits requires consideration in the writ petition.

5. Contempt case is accordingly closed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this contempt case shall stand closed.

P.NAVEEN RAO,J

23rd February, 2018
Rds

