

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

CONTEMPT CASE No.2584 of 2017

JUDGMENT:

This Contempt Case is filed by the petitioner against respondent Nos. 1 and 2 for non compliance of the Orders dt. 21.10.2016 passed in Writ Petition No.3810 of 2001 and punish them for wilful disobedience under Contempt of Courts Act, 1971.

Heard the arguments of Sri K.S.V.Subba Rao, learned counsel for the petitioner and Sri V. Kishore, learned counsel for the respondents.

The brief facts of the case are that the petitioner/N. Brahmaiah has filed W.P.No.3810 of 2001 under Section 226 of the Constitution of India for Writ of certiorari. This Court, on merits, passed Order Dt. 21.10.2016 allowing the Writ Petition with the following relief:

"Having regard to the facts and circumstances of the case, it is appropriate to consider the request of the petitioner for treating his period of suspension for 326 days i.e., from 04.05.1999 to 24.03.2000, which period the learned Standing Counsel for the respondent did not dispute, as on duty. The respondents are directed to treat the said period of suspension of the petitioner as on duty and to pay all consequential benefits accordingly."

However, the respondents have not complied with the directions given by this Court and therefore, the petitioner has filed the present Contempt Case.

During hearing, the learned counsel for the respondents has submitted that the directions issued in this case have been complied with and filed the documents after serving the documents to the learned counsel for the petitioner and prayed to close the Contempt Case.

Document No.1 is the Letter Dt. 10.01.2018 addressed by the petitioner to the Managing Director, A.P. State Cooperative Bank Limited, Governorpet, Vijayawada, stating that he will not make any further claim in future towards interest etc., and withdraw the Contempt Case filed against the respondents in the event of paying the salary for 326 days suspension period as directed by this Court. Document No.2 is the Acknowledgment and Undertaking Letter given by the Petitioner stating that he received an amount of Rs.1,92,838.26 drawn on IDBI Bank Cheque bearing No. 352805 dt. 22.01.2018 towards full and final settlement of salary and consequential benefits for 326 days of suspension period i.e., from 04.05.1999 to 24.03.2000, as per the Orders of this Court dt. 21.10.2016 in W.P.No.3810 of 2001, but in the Letter, the date of the Order of this Court is wrongly mentioned as '21.10.2017' instead of '21.10.2016'.

Finally, the learned counsel for the petitioner and respondents submitted that the matter has been settled between the parties as the Orders of this Court have been complied with by the respondents and prayed to close the C.C.

Recording the said submission, this Contempt Case is closed.

Miscellaneous Petition, if any pending, in this case, shall stand dismissed.

GUDISEVA SHYAM PRASAD, J

Date: 09-02-2018
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CC No.2584 of 2017
Dt. 09-02-2018

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