

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

Contempt Case No.630 of 2019

ORDER:-

This Contempt Case is filed alleging disobedience by the respondents of the order dated 21.06.2017 in WPMP No.24747 of 2017 in W.P.No.20198 of 2017 passed by this Court.

2. In the said order, the 3rd respondent in the Contempt Case was directed to consider the petitioner's representation dated 17.04.2017 within eight weeks from the date of receipt of copy of the said order and to communicate his decision to the petitioner.

3. After the Contempt Case was filed in April, 2019, the 3rd respondent issued a memo No.3986/Pts.IV/A2/2017-3, dated 26.06.2019, rejecting petitioner's representation.

4. In the counter affidavit filed by the 3rd respondent, the reason for the delay in disposal of the representation is stated to be shortage of staff and oversight.

5. The said reasoning for the delay in disposal of the petitioner's representation of almost two years cannot be countenanced. It is not the case of the 3rd respondent that there was shortage of typists for a period of two years to type the rejection order to be issued by him. It is not disputed by Government Pleader for Services-II that between 2017 and 2019, the 3rd respondent had conducted elections for the Gram Panchayats in the State of Telangna; and also it does not appear that shortage of staff had prevented him from doing any other work other than compliance with the Court order passed on 21.06.2017

in WPMP No.24747 of 2017 in WP No.20198 of 2017. In my considered opinion, the conduct of the 3rd respondent is clearly contumacious and wilful and the apology tendered by him does not warrant any consideration since it is offered only in a routine way without any real remorse.

6. Therefore, the Contempt Case is allowed and the 3rd respondent is held guilty of wilful disobedience of the order dated 21.06.2017 in WPMP No.24747 of 2017 in WP No.20198 of 2017 by not complying with the same within the time prescribed in the said order and is sentenced to a fine of Rs.2,000/- (Rupees two thousand only) which shall be paid by him within four (4) weeks from today; if not, he shall suffer simple imprisonment for a period of one month.

Consequently, miscellaneous petitions if any pending in the Contempt Case shall stand dismissed.

M.S.Ramachandra Rao, J

1st August, 2019

smr