

THE HON'BLE SRI JUSTICE SANJAY KUMAR

AND

THE HON'BLE SRI JUSTICE K. LAKSHMAN

I.A. Nos.2 AND 3 OF 2019

IN

CONTEMPT CASE No.664 OF 2019

AND

CONTEMPT CASE No.664 OF 2019

COMMON ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

This Contempt Case was instituted alleging wilful disobedience to the common order dated 20.08.2018 insofar as it pertains to Writ Petition No.10292 of 2014. The petitioners herein figured as respondent Nos.1 to 3 in the said writ petition which was filed by the Hyderabad Metropolitan Development Authority assailing the order dated 16.04.2013 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A. No.9212 of 2012.

2. By the common order dated 20.08.2018, W.P. No.10292 of 2017 was dismissed along with W.P. No.7784 of 2017, filed by the State of Telangana against the very same order passed by the Tribunal. The order dated 16.04.2013 passed by the Tribunal required the authorities to regularize the services of the petitioners herein with effect from 03.11.2003. However, they were denied arrears of pay but were only held entitled to notional fixation of pay with effect from that date. Alleging violation of the aforestated order, the petitioners invoked the contempt jurisdiction of this Court. The contempt case was admitted on 14.08.2019 and the appearance of the respondents was directed on 18.09.2019. While so, I.A No.2 of 2019 was filed by

the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, the 2nd respondent, to dispense with his presence on 18.09.2019. Similarly, the Principal Secretary, Municipal Administration and Urban Development Department, Government of Telangana, filed I.A. No.3 of 2019 seeking dispensing with his presence.

3. Sri V. Narasimha Goud, learned counsel for the 2nd respondent, would inform this Court that the order now stands complied with. He would point out that G.O.Rt. No.615, Municipal Administration and Urban Development (TPE.1) Department, dated 13.09.2019 was issued by the Government of Telangana, permitting the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad, to implement the order dated 16.04.2013 passed in O.A. No.9212 of 2011, whereby the petitioners herein were held eligible for notional fixation of pay, but not arrears of pay, with effect from 03.11.2003. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, was directed to take necessary action. Pursuant thereto, the Hyderabad Metropolitan Development Authority issued proceedings dated 13.09.2019, marking copies thereof to the petitioners herein, declaring that, in partial modification of the orders issued earlier, the services of the petitioners were regularized in the categories of Typist, Electrician and Work Inspector respectively with effect from 03.11.2003 with all

consequential benefits. They were also held eligible for notional pay fixation but not arrears of pay.

4. In the light of aforestated developments, it is clear that the order, alleged disobedience to which led to the filing of this contempt case, has been complied with in true letter and spirit. No cause is made for exercise of contempt jurisdiction at this stage. The Contempt Case is accordingly closed. Consequently, I.A Nos. 2 and 3 of 2019 are ordered dispensing with the presence of the respondents.

Pending miscellaneous petitions, if any, shall also stand dismissed. There shall be no order as to costs.

SANJAY KUMAR, J

K. LAKSHMAN, J

September 17, 2019

KTL/Mgr