

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CONTEMPT CASE No.1810 OF 2015

ORDER:

1 This Contempt Case was instituted alleging willful disobedience to the order dated 12.10.2012 passed in WPMP Nos.15839 and 15923 of 2012 and WVMP Nos.2509 and 2510 of 2012 in W.P.No.12656 of 2012.

2 WPMP No.15839 of 2012 was filed by the writ petitioners seeking a direction to the State Bank of India to consider the first petitioner's application dated 27.02.2012 for recruitment under sports quota. In terms of the order passed therein, directing consideration of the said application, the Bank issued proceedings dated 16.8.2012, rejecting the first petitioner's candidature. This Court therefore opined that there was no case made out to vacate the said interim order.

3 WPMP No.15923 of 2012 was filed by the writ petitioners seeking a direction to the Bank to implement the provisions of the 'Constitution and Bye-laws of the State Bank of India Sports Control Board'. As a direction was issued to do so, this Court opined that it was inexplicable as to why the Bank was seeking vacating of the said order, as the Bank was bound to follow and implement its own Rules in true letter and spirit. The miscellaneous petitions were ordered accordingly, vide common order dated 12.10.2012.

4 The allegation in this Contempt Case was that the Bank was seeking to recruit existing general staff members to various sports teams within Hyderabad Circle in violation of its own Rules. It is on this basis that the contempt jurisdiction of this Court is sought to be invoked.

5 As the order passed by this Court was a general one directing the Bank to abide by and implement its own Rules, any alleged violation of the same would give rise to an independent and separate cause of action which

would have to be established on facts. The alleged violation cannot be made the subject matter of enquiry in contempt proceedings.

6 The Contempt Case is accordingly dismissed leaving it open to the petitioners to take appropriate measures, if so advised, in relation to any violation of the Rules of the Bank. No order as to costs.

SANJAY KUMAR, J.

Dt: 12.07.2019
Kvsn

