

HIGH COURT FOR THE STATE OF TELANGANA

**THE HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND**

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

C.C. No. 1046 of 2019

Date: 30.10.2019

Between:

C. Satish

... Petitioner

and

Mr. Vishnu S Warriar, I.P.S.,
Superintendent of Police,
Adilabad.

...Respondent

Counsel for the petitioner:

Mr. K. Rama Subba Rao

Counsel for the respondent:

Special Government Pleader

The Court made the following:

ORDER: *(per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)*

Mr. C. Satish, the complainant, has filed the present contempt petition *inter alia* on the ground that the order dated 08.06.2018, passed by a learned Division Bench of this Court in W.P.No.1488 of 2014, which was disposed of along with W.P.No.35460 of 2013 and batch, has not been complied with by the alleged contemnor.

By order dated 08.06.2018, the learned Division Bench had directed that the complainant be subjected to a physical test to ascertain his fitness before he is being re-inducted into service as Home Guard.

Mr. S. Sharath Kumar, the learned Special Government Pleader, informs this Court that in fact the complainant and others were subjected to a physical test on 23.03.2019. However, the complainant failed to qualify the test. Therefore, the complainant cannot be re-inducted into service. But, nonetheless, the direction issued by the learned Division Bench to subject the complainant to a physical test has been carried out. Hence, no contempt is made out.

On the other hand, the learned counsel for the complainant submits that the learned Division Bench had directed that "*an objective and transparent procedure should be adopted by the State and its police officials with regard to the physical test to be undertaken by the complainant.*" However, the complainant and others were subjected to a physical test meant for the police constables, who at the initial stage of selection are young men. Therefore, an

objective and transparent procedure has not been adopted by the alleged contemnor. Hence, contempt is made out.

Heard the learned counsel for the parties.

In case the complainant is aggrieved by his disqualification, he has ample remedies to challenge the same. However, as the alleged contemnor has already subjected the complainant to a physical test, the order dated 08.06.2018, has been complied with. Thus, no contempt is made out.

For the reasons stated above, this Court does not find any merit in the contempt case. It is, hereby, dismissed.

As a sequel, miscellaneous petitions, pending if any, also stand dismissed as infructuous.

(RAGHVENDRA SINGH CHAUHAN, CJ)

(A. ABHISHEK REDDY, J)

Date: 30.10.2019
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