

High Court for the State of Telangana

The Hon'ble The Chief Justice Sri Raghvendra Singh Chauhan

and

The Hon'ble Sri Justice A. Abhishek Reddy

C.C. No. 1279 of 2019

Date: 23-12-2019

Between:

Pinke Srinivas

...Petitioner

And

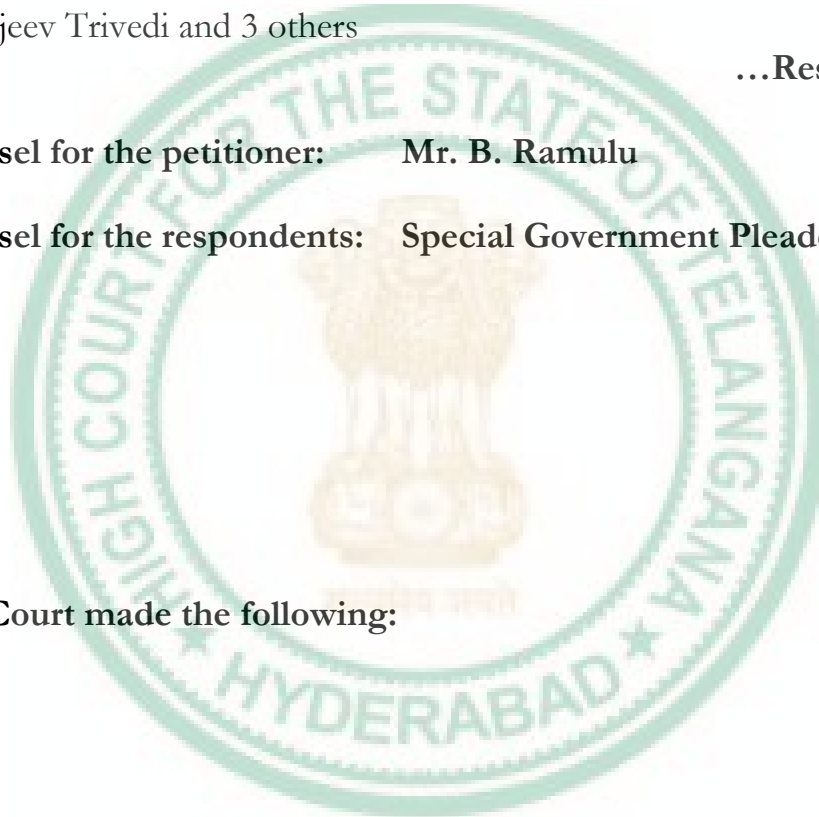
Sri Rajeev Trivedi and 3 others

...Respondents

Counsel for the petitioner: Mr. B. Ramulu

Counsel for the respondents: Special Government Pleader

The Court made the following:



Order: (per Hon'ble The Chief Justice Sri Raghvendra Singh Chauhan)

Mr. Pinke Srinivas, the complainant, has filed the present contempt petition *inter alia* on the ground that the order dated 20.08.2018, passed by a learned Division Bench of this Court in W.P. No. 33053 of 2015, which was disposed of along with W.P. No. 25631 of 2013 and batch, has not been complied with by the alleged contemnors.

By order dated 20.08.2018, 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 a Home Guard.

The learned Special Government Pleader informs this Court that, in fact, on 14.03.2019, the complainant and others were subjected to a physical test. However, the complainant failed to qualify the test. Therefore, the complainant cannot be re-inducted into the service. Thus, 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 contemnors have already subjected the complainant to a physical test, the order dated 20.08.2018 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, stand dismissed as infructuous.

(Raghvendra Singh Chauhan, CJ)

(A. Abhishek Reddy, J)

Dt: 23-12-2019
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