

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
CONTEMPT CASE No.1326 of 2019
16.12.2019

Between:

D. Madan Mohan (Died per LRs)

...Petitioners

And

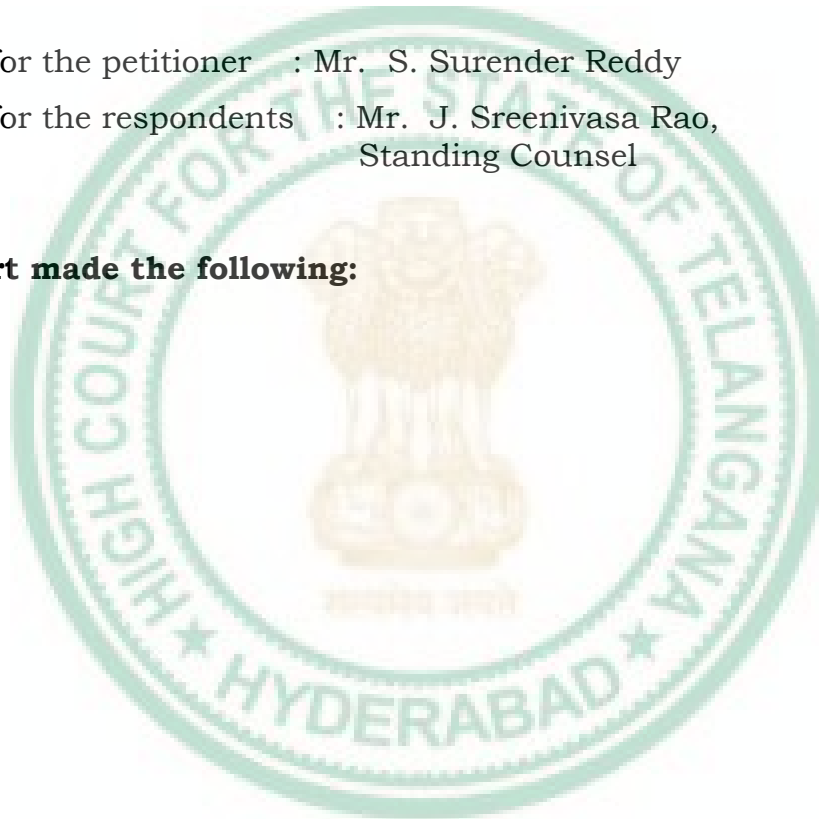
Sri K. Lakshmi Narayana and another

...Respondents

Counsel for the petitioner : Mr. S. Surender Reddy

Counsel for the respondents : Mr. J. Sreenivasa Rao,
Standing Counsel

The Court made the following:



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

Both the learned counsel for the parties are *ad idem* that the gratuity amount of Rs.2,42,104/- had been paid to the complainant Nos.2 to 5, and the other gratuity amounts due have also been paid to the complainant Nos.2 to 5, in compliance of the order dated 03.10.2018, passed by a learned Coordinate Bench, in W.A.No.1140 of 2018.

However, Mr. S. Surender Reddy, the learned counsel for the complainants, submits that by the said order, this Court had also directed that the "death benefits" should be granted to the complainant Nos.2 to 5. The learned counsel seeks for compassionate appointment, which forms part of "death benefits", as the complainant Nos.2 to 5 were entitled to be appointed on compassionate grounds. Thus, according to the learned counsel, the alleged contemnors continue to commit the contempt of Court.

However, Mr. J. Sreenivasa Rao, the learned Standing Counsel appearing for the alleged contemnors, submits that the term "death benefits" does not include compassionate appointment. Therefore, no contempt is made out against the alleged contemnors.

It is, indeed, trite to state the term "death benefits" does not include compassionate appointment. Therefore, the position being taken by the learned counsel for the complainants is highly misplaced. The complainant Nos.2 to 5 have sufficient remedies, if they are so aggrieved by their non-appointment on compassionate grounds. However, the complainant Nos.2 to 5 cannot be permitted to bring their non-appointment on compassionate grounds within the words "death benefits". Since the amounts due have already been paid, as agreed by

both the learned counsel for the parties, no contempt is made out against the alleged contemnors.

The Contempt Case is, hereby, dropped. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, CJ

A. ABHISHEK REDDY, J

16th December, 2019
JSU



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