

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.1470 of 2019
04.11.2019

Between:

S. Gangadhar Rao and another

...Petitioner

and

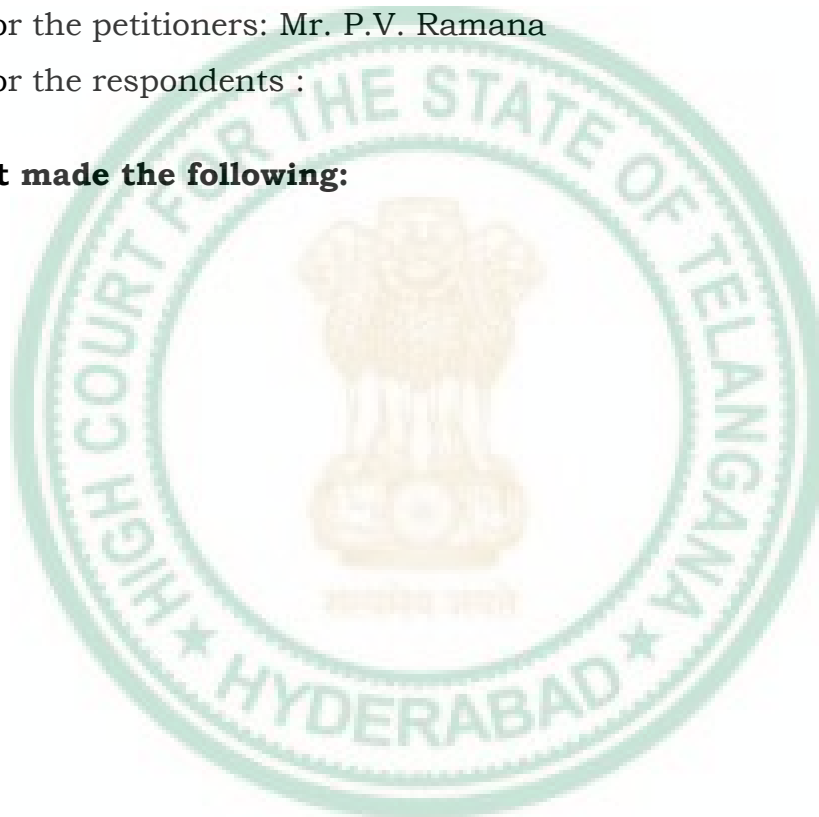
Smt. Chitra Ramachandran and another

...Respondents

Counsel for the petitioners: Mr. P.V. Ramana

Counsel for the respondents :

The Court made the following:



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

The complainants have filed this contempt petition, ostensibly, on the ground that by order dated 13.06.2019, a learned Coordinate Bench had passed the following order:-

“In view of the above, the Writ Petition is allowed and a direction is issued to the first respondent to permit the petitioners to join duty. The petitioners will also be entitled to full salary and allowances from the date on which they have reported to duty. Orders shall be issued within fifteen days from the date of receipt of a copy of this order.”

However, the said order has not been complied with by the alleged contemnors.

Mr. P.V. Ramana, the learned counsel for the complainants, submits that according to the operative portion, since the petitioners had joined the duty on 16.12.2017 and 01.02.2018, they are entitled to receive the full salary and allowances from the said dates. However, although the petitioners have been permitted to join their duty, their full salary and allowances from the said dates are not being paid to them. Hence, contempt is being committed by the alleged contemnors.

A bare perusal of the operative portion does not reveal the fact that the learned Coordinate Bench had ever meant that the full salary and allowances shall be paid from any previous date. The words used by the learned Coordinate Bench are that *“a direction is issued to the first respondent to permit the petitioners to join duty”*, as though they had not joined the duty on previous dates. Therefore, there is ambiguity in the operative portion of the order passed by the learned Coordinate Bench. Until and unless the ambiguity is clarified, no contempt is made out.

For the reasons stated above, this Court does not find any merit in the present contempt petition; it is, hereby, dismissed. 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

04th November, 2019
JSU



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