

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CONTEMPT CASE No.2828 of 2018

ORDER:

This Contempt Case is filed alleging violation of the order dated 27.10.2017 in WP.MP.No.43903/2017 in WP.No.35331/2017 wherein and whereby this Court granted interim direction to the respondents to consider the representation of the petitioner dated 21.01.2017, in accordance with Rules, within a period of eight weeks from the date of receipt of a copy of the order.

Now, counter is filed stating that petitioner's representation was considered and disposed of vide Office Memo No.0011712/Estt./C3/2015, dated 18.02.2019 stating as follows;

“As per the request of Sri M.A.Majeed, Senior Assistant, he was informed that this department will consider his request for regularisation of suspension period and also his promotion to the post of Superintendent will be considered after the finalization of criminal case in the Hon'ble Court, vide this office Memo No.0011712/Estt./C3/2015, dated 18.02.2019.”

Learned counsel for the petitioner submits that the prayer in WP.MP.No.43903/2017 in WP.No.35331/2017 was to direct the respondents to place the petitioner in the 2015 PRC scale and also release the increments for which he is

entitled and then fix the pay/salary for which he is entitled in law, pending disposal of WP.No.35331/2017.

Learned Government Pleader brought the representation of the petitioner dated 21.01.2017 to the notice of this Court wherein the petitioner requested the authorities to consider his case and pass orders determining his period of suspension w.e.f.1.03.2014 to 17.03.2016 as on duty to enable him to get the pay fixation and other benefits as per Rules. He also submits that though the petitioner pleaded in WP.MP.No.43903/2017 to direct the respondents to place the petitioner in the 2015 PRC scale and also release the increments for which he is entitled and then fix the pay/salary for which he is entitled in law, pending disposal of WP.No.35331/2017, this Court granted interim direction on 27.10.2017 directing the respondents to consider the representation of the petitioner dated 21.01.2017, in accordance with Rules, within a period of eight weeks; and that as per the said direction the respondent considered and disposed of the representation of the petitioner, as such, there is no violation.

In view of the above, since the respondents disposed of the representation of the petitioner dated 21.01.2017 as per the directions of this Court in WP.MP.No.43903/2017 in WP.No.35331/2017, I do not see any violation of the order passed by this Court. However, if petitioner is aggrieved by

the said proceedings dated 18.02.2019, it is open for the petitioner to challenge the said proceedings, in accordance with law.

Accordingly, the Contempt Case is dismissed. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous applications, if any, pending shall stand closed.

05.03.2019
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A.RAJASHEKER REDDY, J

