

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.161 OF 2019

Dated:31.01.2020

Between:

Smt. Asifa Begum, W/o. Late Shafi

.. Petitioner

And

Sri B. Venkatesham, IAS, Principal
Secretary, State of Telangana,
B.C. Welfare Department, Secretariat,
Telangana, Hyderabad and others

.. Respondents



This Court made the following:

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ORDER:

Petitioner challenged the order dated 20.09.2018 deputing her to the Government B.C. Boys Hostel at Kamareddy as Kamati. Primarily it is contended that she could not have been sent on deputation to work in a lower post without her consent.

2. This Court, by order dated 12.10.2018, granted interim suspension. In compliance of the interim order, the District B.C. Development Officer passed orders retaining the petitioner in the same office in which she was earlier working.

3. In this Contempt Case, it is alleged that even the retention of petitioner in the same office, but as Kamati, would amount to deliberate and willful disobedience of the direction issued by this Court and petitioner could not have been posted to a lower post during the operation of the interim order.

4. As can be seen from the prayer sought in the Writ Petition, the grievance was against transfer to a different school and to a lower post claiming that it amounts to deputation and without consent to a lower post is not valid in law. Since the petitioner is retained in the same office, this objection would no more survive.

5. Be that as it may, the posting of the petitioner in the lower post does not amount to violation of the directions issued by this Court warranting initiation of contempt proceedings. If the petitioner has grievance regarding present posting as Kamati

instead of Attender, it being an independent cause of action, she has to work out independently.

6. In view of the same, the Contempt Case is closed.

P. NAVEEN RAO, J

Date:31.01.2020

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