

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE Nos.1717 & 2011 OF 2018

DATED : 31.01.2020

C.C.No.1717 of 2018 :

Between :

Ch.Ramesh S/o.Ch.Shekaraiah (late),
Aged about 46 yrs, working as Senior Assistant,
O/o.District Medical and Health Officer,
Nagarkurnool, Nagarkurnool District & others.

.....Petitioners

And

Sri Dr. Srinivasa Rao,
Director of Public Health & Family Welfare,
Government of Telangana, Hyderabad & others.

.....Respondents



The Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE Nos.1717 & 2011 OF 2018

COMMON ORDER:

By orders, dated 21.6.2018 and 22.06.2018 in W.P.No.20725 of 2018 and W.P.No.21171 of 2018 respectively, this Court directed to compute the service rendered by the petitioners prior to the orders to serve also for the purpose of considering their eligibility for transfer and assignment of appropriate placement in the list of persons liable for transfers. Alleging violation of the said interim orders, these contempts are filed.

2. It is now brought to the notice of the Court that the writ petitions are finally disposed of, by order dated 28.10.2019 and consequent to the directions issued by this Court in the final orders, appropriate posting orders were issued to the petitioners on 04.01.2020.

3. Learned counsel for the petitioners, sought to contend that during subsistence of the interim orders, there was deliberate disobedience. Therefore, the respondents have committed contempt of the orders of this Court. It is also contended that past service as directed by the Court was not considered. Therefore, merely because writ petitions are finally disposed of, is not a ground to contend that the earlier orders need not be complied.

4. To appreciate this contention, it is seen that while disposing of the writ petitions finally, the very contention was also urged before the learned Single Judge. However, it was also represented before the learned Single Judge, that there are

vacancies available at various places and petitioners have submitted detailed representations to the respondents on 17.10.2019, therefore, respondents be directed to consider the representation and to pass appropriate orders, by counting the past service rendered, prior to the orders to serve directions were issued.

5. Learned Government Pleader agreed for consideration of the said representation.

6. In view thereof, the Writ Petitions were finally disposed of directing the respondents to consider the representation submitted by the petitioners and also to consider the cases of the petitioners for appropriating postings in the existing vacancies by giving the benefit of earlier service rendered by them and to pass appropriate orders within six weeks.

7. Therefore, it cannot be said that the earlier orders were still subsisting and petitioners cannot complain of violation of said interim orders, having agreed for disposal of writ petitions for consideration of the representation submitted by them. As the interim orders were merged into the final orders, the final orders alone have to be looked into, to examine the issue of violation.

8. At this stage, learned counsel for the petitioners, sought to contend that past service was not computed and in issuing posting orders they were given posting orders at far off places or places inconvenient to the petitioners and all this was done deliberately. No opinion can be expressed by the Court on the said issue. However, it is always open to the petitioners to work out their remedies, if they are not satisfied with the manner in

which their representation was acted upon and the decision taken. Therefore, it cannot be said that there is deliberate and willful disobedience of the orders of this Court, warranting initiation of contempt proceedings.

9. Accordingly, the Contempt Cases are closed. Pending miscellaneous petitions, if any, shall stand closed.

31st January, 2020
Rds

P.NAVEEN RAO,J

