

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY ,THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

CONTEMPT CASE NO: 2396 OF 2024

IN

WRIT PETITION NO. 4444 OF 2019

Contempt Case Under Section 10 to 12 of Contempt of Courts Act, to Punish the respondents for deliberate violation and willful disobedience of the order of this Hon'ble Court dated 01/07/2024 in W.P.No. 4444 OF 2019.

Between:

G.Shanker,, S/o Buchi Lingaiah, Aged about 46 years, Occ Business, R/o
H.No. 6-2-263/3, Uday Nagar, Godavarikhani, Karimnagar District- 209.

...PETITIONER/PETITIONER

AND

Sri.D.Lalith Kumar,, General Manager F and A Department, Ramagudam
Area-I, Singareni Collieries Company Ltd,Godhavarikhani, Peddapally
(Karimnagar) Dist - 505209

...RESPONDENT/RESPONDENT

Counsel for the Petitioner :SRI PULIMAMIDI SHASHIDHAR REDDY

**Counsel for the Respondent: SRI P. SRI HARSHA REDDY (SC FOR
SINGARENI COLLIERIES CO LTD)**

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

CONTEMPT CASE No.2396 OF 2024

In

WRIT PETITION NO.4444 OF 2019

ORDER:

Heard Sri Pulimamidi Shashidhar Reddy, learned counsel appearing on behalf of the petitioner and Sri P. Sri Harsha Reddy, learned Standing Counsel for Singareni Collieries Company Ltd., appearing on behalf of respondent.

2. The petitioner approached the Court seeking prayer as under:

"to punish the respondent under Section 10 and 12 of Contempt of Courts Act for his wilful violation and deliberate disobedience to the order in W.P. No. 4444 of 2019, dated 01.07.2024 passed by this Court and pass ...".

3. The operative portion of the order, dated 01.07.2024 passed in W.P. No. 4444 of 2019 in particular para No.13 is extracted hereunder:

"13. Taking into consideration

- i) The aforesaid facts and circumstances of the case,

- ii) The observations of the Apex Court in the judgments (referred to and extracted above),
- iii) Duly considering the averments made at para Nos.12 and 14 of the counter affidavit filed on behalf of Respondents (referred to and extracted above),
- iv) Duly taking note of the fact as borne on record that there is no justification nor any reasoning in the order impugned dated 08/14.02.2019 passed by the 2nd Respondent herein,
- v) Applying principle of doctrine of proportionality to the facts of the present case, and
- vi) In the light of the discussion and conclusion as arrived at as above.
- vii) without going into the merits of the rival contentions put-forth by the learned counsel for the Petitioner and learned counsel appearing on behalf of Respondents and duly considering the interim orders passed by this Court dated 06.03.2019 which are in existence as on date,

The writ petition is allowed, the order impugned dated 08/14.02.2019 issued by the 2nd Respondent is set aside and the matter is remitted back to the 2nd Respondent. The 2nd Respondent is directed to reconsider the subject issue

objectively and uninfluenced by its earlier decision dated 08/14.02.2019, issued against the petitioner and re-examine the whole issue afresh again and pass appropriate orders, in accordance to law, in conformity with principles of natural justice, duly taking into consideration the observations of the Apex Court in the judgment (referred to and extracted above) within a period of four (04) weeks from the date of receipt of the copy of the order and duly communicate its decision to the Petitioner. However, there shall be no order as to costs.

4. Sri P. Sri Harsha Reddy, learned Standing Counsel for SCCL, appearing on behalf of respondent brings on record the Proceedings vide Ref.RG.1/PER/C/54/6589, dated 09.12.2024 of the Singareni Collieries Company Limited, Ramagundam-I Area and contends that in pursuance to the orders of this Court dated 01.07.2024 passed in W.P.No.4444 of 2019, an opportunity of personal hearing was given to the petitioner on 08.11.2024 and the grievance of the petitioner was heard before the Committee appointed vide Lr.No.RG1/PER/C/54/5787, dated 02.11.2024 and detailed speaking order dated 09.12.2024 had been passed.

5. Learned counsel appearing on behalf of the petitioner submits that the Proceedings dated 09.12.2024 issued in compliance with the directions of this Court dated 01.07.2024 passed in W.P. No.4444 of 2019 are not in true spirit of the orders of this Court dated 01.07.2024 passed in W.P. No.4444 of 2019.

6. This Court opines that merits of the said proceedings dated 09.12.2024 issued in compliance to the orders of this Court, dated 01.07.2024 passed in W.P.No.4444 of 2019 cannot be gone into under Contempt jurisdiction and the Contempt Case is closed giving liberty to the petitioner to pursue the remedies as are available under law against the Proceedings dated 09.12.2024 issued by the Respondent Company. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

//TRUE COPY//

Sd/- I. NAGA LAKSHMI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. One CC to SRI PULIMAMIDI SHASHIDHAR REDDY, Advocate [OPUC]
2. One CC to SRI P. SRI HARSHA REDDY (SC FOR SINGARENI COLLIERIES CO LTD), Advocate [OPUC]
3. Two CD Copies.

AR/gh

HIGH COURT

DATED:27/12/2024

ORDER

CC.No.2396 of 2024



CLOSING THE CONTEMPT CASE
WITHOUT COSTS.

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