APHC010218572015

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3331]
(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

CONTEMPT CASE NO: 240/2015

Between:

Y. Krishna Kumari, Krishna Dist. & 2 Others **...PETITIONER(S)**

AND

R P Sisodia Hyd & 3 Others **...CONTEMNOR(S)**

Counsel for the Petitioner(S):

1. M V RAJA RAAM

Counsel for the Contemnor(S):

1. V UMA DEVI
2. RAMA CHANDRA RAO GURRAM
3. L V S NAGARAJU
4. .

The Court made the following:

ORDER

The above contempt case is filed complaining about the non-implementation of the order dated 13.03.2024 in W.P.No.22854 of 2004.

2. The petitioners filed W.P.No.22854 of 2004 impugning the proceedings Rc.No.7D.5/2004, dated 29.03.2004 issued by the 3rd respondent and Rc.1338/B-3-4/2002, dated 05.02.2004 issued by the 2nd respondent, regarding the emoluments to the petitioners as prescribed in G.O.Ms.No.100 Education, dated 16.08.2001, as illegal and arbitrary.

3. In Paragraph-7 of the writ affidavit, it was pleaded that the petitioners are not seeking for appointment and they are seeking the relief of payment of scale attached to the post; that nothing was mentioned in G.O.Ms.No.143 dated 16.12.2003 that the employees absorbed in aided post shall be placed under apprenticeship and that the proceedings impugned issued by the 3rd respondent directing the petitioner to work as apprentice for two years as per G.O.Ms.No.100 Education dated 16.08.2001 is unsustainable. The petitioners made representations to the 2nd respondent. It was further pleaded about the order passed in W.P.No.11332 of 2002 dated 17.11.2003, confirmed in W.A.No.273 of 2004 dated 22.08.2013.

4. In the affidavit filed in support of the contempt case, it was pleaded that the third respondent, by proceedings dated 29.03.2004, admitted petitioners' posts into grant-in-aid with effect from 16.12.2003 instead of our original appointment despite the order in the writ petition. The petitioners made representations dated 15.05.2014; however, no action was initiated, and thus, the respondents violated the order of the Court.

5. The 3rd respondent filed a reply affidavit. It was contended, *inter alia*, that a detailed report was submitted by the Commissioner of School Education, Andhra Pradesh, Amaravati, to the Special Chief Secretary to Government, School Education, dated 04.01.2018. The petitioners were approved, in aided posts from 16.12.2003. From the date of absorption

into the aided posts with effect from 16.12.2003, with a period of apprenticeship of 2 years, the petitioners were paid regular scale from 16.12.2005. In pursuance of the order, the petitioners were paid benefits from the date of absorption into grant-in-aid posts i.e. 16.12.2003. The Correspondent, V.R.K.M Primary School, Vuyyuru *vide* letter dated 29.02.2024 submitted that the Management had paid salaries to the petitioners from their initial appointment into unaided posts as per the Government scales until the petitioners were admitted into grant-in-aid i.e. 16.12.2003. The 4th respondent also stated that no salaries are pending from the Management to the petitioners up to their absorption into the grant-in-aid and thus, contended that the orders of the Court were complied with.

6. Heard Sri M.V.Rajaram, learned counsel for the petitioners and Sri Gurram Ramachandra Rao, learned counsel for the respondents.

7. The contention of learned counsel for the petitioners that the petitioners should have been granted all the benefits from the date of their initial appointment, however, the same was not extended, and thus, the respondents violated the order of the Court. Learned counsel appearing for respondents would submit that the order of the Court was implemented in its letter and spirit.

CONSIDERATION:

8. The petitioners were absorbed into grant-in-aid posts with effect from 16.12.2003, and by the proceedings impugned in the writ petition, the 3rd respondent directed the petitioners to work as apprentices for two years as per the G.O.Ms.No.100 Education dated 16.08.2001. That G.O. was set aside by the learned single Judge and further directed to pay the

regular scales attached to the aided Secondary Grade Teachers posts from the date of their initial appointment and pay all consequential benefits such as continuity of service, seniority and promotion etc.,

9. The Correspondent, V.R.K.M Primary School, Vuyyuru, addressed a letter dated 29.02.2024 to the District Educational Officer, Krishna, stating that the Management had paid salaries to the petitioners from their initial appointment into unaided posts as per the Government scales until the petitioners were admitted into grant-in-aid.

10. Thus, the petitioners were paid regular pay scales from 17.09.1984, 12.09.1984 and 20.09.1983 till they were absorbed into grant-in-aid posts on 16.12.2003 by the Management. The direction of the 3rd respondent to undergo apprenticeship for two years was set aside, and those benefits were also paid to the petitioners.

11. In that view of the matter, the contention of the learned counsel for the petitioners that the order of the Court has not been complied with, in the considered opinion of this Court, is misconceived.

12. Given the discussion *supra*, this Court does not find any violation of the order by the respondents and hence, the contempt case is liable to be dismissed.

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

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

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JUSTICE SUBBA REDDY SATTI

PVD