

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

SATURDAY, THE NINETEENTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR



PRESENT

HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

CONTEMPT CASE NO: 2300 OF 2024

Petition under Sections 10 to 12 of Contempt of Courts Act 1971 praying that in the circumstances stated in the affidavit file herein the High Court may be pleased to allow the writ petition with the following directions 38. Accordingly, vide the analysis and the opinion of this Court under Issue Nos. 4 and 5

(i) there shall be a Show Cause Notice issued to Sri N. Gulzar, Pd. Secretary to Government (CT) Finance, as to why this Court should not direct the Government to terminate him from service on the premise that he is unfit to hold the job in Government service under Article 310 of the Constitution of India;

(ii) there shall also be a Show Cause Notice issued to Sri N. Gulzar, Prl. Secretary to Government (CT) Finance, as to why he shall not be prosecuted and be punished for contempt of this Court for wilful disobedience of the Orders passed by the Learned Single Judge in W.P.No.20266 of 2021 dated 11-04-2022.

39. In respect of the 1st Show Cause Notice in Para No.38(i) above, Sri N. Gulzar, Prl. Secretary to Government (CT) Finance is directed to file his response within two weeks from today. In so far as the suo-moto Contempt Notice in Para No. 38 (ii) is concerned, the Registry is directed to register a case for suo-moto Contempt of the Court under Sub-sections (b) and (c)(iii) of Section 2 of the Contempt of Courts Act and issue notice to Sri N. Gulzar, Prl. Secretary to Government (CT) Finance, Respondent No.1

herein returnable in two weeks from today. List the Contempt Case on 01.05.2024 along with this W.P.No.34079 of 2022 in the Motion List, for further enquiry in respect of 2 Show Cause Notices (per Para No. 38 supra)

40. With the above findings, this Writ Petition stands allowed. Consequently, the Impugned Memo No. REV01- CCSTOCCTC/6/2022-CT-1, dated 05.07.2022 is set aside. There shall be a direction to the Respondents to adhere to the law as laid down by the Learned Single Judge in W.P.No.20266 of 2021 dated 11.04.2022 and pass fresh Orders on the Representation made by the Writ Petitioner on 29.04.2022 within four weeks from the date of uploading of this Order on the Web-site of this Court.

No Order as to Costs.

In view of the circumstances stated in the order dated 16-04-2024 passed in W.P.No.34.079 of 2022, the Honble Court directed the Registry to initiate suo moto contempt proceedings against (respondent No.1 in W.P.Nos.34079 of 2022 and 20266 of 2021) you viz., Sri. N.Gulzar, Principal Secretary to Government(CT) Finance, AP Secretariat, Velagapudi, Amaravati, under the Contempt of Courts Act for wantonly and deliberately violating the Order dated 11-04-2022 in W.P.No.20266 of 2021, whereby the Honble Court presided by the Honble Sri Justice Ravi Nath Tilhari while allowing the writ petition issued following directions.

24. In view of the aforesaid, the impugned order in the present case, cannot be sustained, which is hereby quashed. A direction is issued to the respondent No.4/Deputy Commissioner, Department of Commercial Taxes, West Godavari District, to reconsider the petitioner's case for appointment on compassionate ground in accordance with law and to forward the requisite proposal to consider grant of relaxation in age rule to the 7STrespondent/Principal Secretary, Department of Revenue (Commercial Taxes), Amaravathi/Competent Authority. The respondent No.1 is also

directed to consider the grant of relaxation of age rule by a reasoned and speaking order.

25. The petitioner is granted liberty to file fresh representation annexing all such documents including copy of the various Government Orders relied upon, along with copy of this order, before the respondent No. 2 within a period of four (04) weeks from today.

26. Let the entire exercise be completed by the respondents within a period of three (03) months from the date of presentation of fresh representation as aforesaid.

27. This petition is partly allowed, with the aforesaid observations and directions.

No order as to costs.

Hence, this suo motu Contempt CASE

**BETWEEN:**

In Re...

**...PETITIONER**

**AND**

Sri. N. Gulzar, Principal Secretary to Government (CT) Finance, A.P.  
Secretariat, Velagapudi, Amaravati.

**...RESPONDENT/CONTEMNOR**

**Counsel for the Petitioner(s):- SRI. THE ADVOCATE GENERAL**

**Counsel for the Respondents: None**

**The Court made the following: ORDER**





**IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI  
(Special Original Jurisdiction)**

**[3328]**

**SATURDAY, THE NINETEENTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA  
PRASAD**

**CONTEMPT CASE NO: 2300/2024**

**Between:**

1. IN RE, F

**...PETITIONER**

**AND**

1. SRI N GULZAR, Principal Secretary to Government(CT) Finance A.P.  
Secretariat, Velagapudi, Amaravati.

**...CONTEMNOR**

**Counsel for the Petitioner:**

1. THE ADVOCATE GENERAL

**Counsel for the Contemnor:**

1.

**The Court made the following:**

**ORAL ORDER:**

Sri G.Raju, learned Counsel has submitted the Order passed by the Division Bench of the Hon'ble Court in W.A.No.458 of 2024 on 28.08.2024. On perusal of the said order, it transpires that the Paragraph Nos.35 to 39 of the Order of this Court have been expunged/set aside.

2. In this view of the matter, the Suo Moto Contempt initiated against Sri N.Gulzar is closed. No order as to costs.

3. Interlocutory Applications, if any, stand closed in terms of this order.

**Sd/- K. TATA RAO**  
**DEPUTY REGISTRAR**

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*NB*  
**SECTION OFFICER**

To,

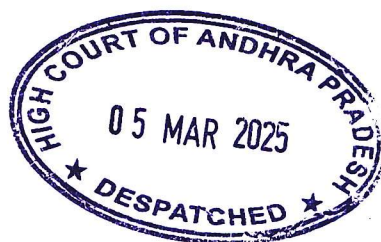
1. Sri.N.Gulzar, Principal Secretary to Government(CT) Finance A.P.  
Secretariat, Velagapudi, Amaravati.
2. One CC to The Advocate General, Advocate [OUT]
3. Three CD Copies

SSL

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**HIGH COURT**

**DATED:19/10/2024**



**O R D E R**

**CC.No.2300 of 2024**

**CONTEMPT CASE IS CLOSED.**