

APHC010405782023



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

[3333]

TUESDAY, THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

CONTEMPT CASE NO: 4490/2023

Between:

V.Sreedhar

...PETITIONER

AND

Dr.Korukonda Babji and others

...CONTEMNOR(S)

Counsel for the Petitioner:

1.N ASHWANI KUMAR

Counsel for the Contemnor(S):

1.GUTTAPALEM VIJAYA KUMAR (SC FOR Dr NTR HEALTH U)

The Court made the following:

ORDER:

This Contempt Case is filed for willful violation of the interim order passed by this Court in W.P.No.19271 of 2023 on 01.08.2023, wherein this Court passed the following order:

"This Court has passed an interim order on 24.07.2023 in the W.P.No.18225 of 2023, wherein the respondents were directed to continue the services of petitioner till he attains the age of superannuation of 62 years. But, in spite of receiving the same, the Vice Chancellor i.e., the 2nd respondent has passed impugned proceedings dated 31.07.2023 relieving the petitioner from his duties on 31.07.2023 afternoon on attaining the age of superannuation i.e., 60 years subject to the result of the pending writ petition i.e. W.P.No.18225 of 2023 filed before this Court.

The learned Standing Counsel Mr.Vijay Kumar has informed this Court that they have already filed a vacate stay in W.P.No.18225 of 2023 and further submitted that in view of the orders passed by the Hon'ble Division Bench of this Court, the said writ petition is to be dismissed and as such, the present impugned proceedings are issued on 31.07.2023 to the petitioner. However, he further stated that, the said impugned proceedings are subject to the result of the pending writ petition i.e., W.P.No.18225 of 2023.

However, in spite of there being an interim order dated 24.07.2023 wherein the respondents are directed to continue the petitioner till he attains the age of superannuation of 62 years, the issuance of the present impugned proceedings is admittedly in violation of the orders passed by this Court and is a clear case of contempt of Court.

In view of the same, the proceedings dated 31.07.2023 are suspended."

2. Today, when the matter is taken up for hearing, Ms.Rithvika Kaganti, learned counsel, representing Mr.N.Ashwani Kumar, learned counsel for the petitioner, has stated that in view of the common order dated 08.08.2023 passed in W.A.Nos.796 and 797 of 2023 by the Division Bench of this Court, he seeks not to press the contempt case.

3. Recording the above submission, the Contempt Case is closed. There shall be no order as to costs.

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

KGR

JUSTICE V.SUJATHA

