



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

[3331]

THURSDAY, THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

CONTEMPT CASE NO: 2120/2025

Between:

1. GONDU PENTOJI RAO,, S/O LATE G.YERRAIAH, AGED ABOUT 61 YEARS, OCC EXECUTIVE DIRECTOR, DISTRICT BACKWARD CLASSES SERVICE COOPERATIVE SOCIETY LIMITED, MARRI CHENNA REDDY BHAVAN, CONTONMEN, VIZIANAGARAM - 535 003

...PETITIONER

AND

1. SRI S SATYANARAYANA IAS, The V.C and Managing Director A.P. Backward classes Cooperative Finance Corporation Limited, 4th Floor, Vishal Residency, Opp.Siddarda Engeneering College, Padmaja Nagar,Tadigadapa Vijayawada - 521 134.

...CONTEMNOR

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 summon the respondent herein personally and punish him for his willful, intentional and deliberate violation of the order dated 11-07-2024 in IA.No. 01 of 2024 in W.P.No.14563 of 2024, under the provisions of Sections 10 to 12 of Contempt of Courts Act r/w Article 215 of the Constitution of India, to summon the respondent herein

personally and punish him for his willful, intentional and deliberate violation of the order dated 11-07-2024 in IANo.Olof 2024 in W.P.No.14563 of 2024, under the provisions of Sections 10 to 12 of Contempt of Courts Act r/w Article 215 of the Constitution of India .

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent herein to continue the petitioner in service till the petitioner attains the age of 62 years or any further order from this Hon'ble Court in pursuance of the order dated 11-07-2024 in I.A.No.01 of 2024 in W.P.No. 14563 of 2024

Counsel for the Petitioner:

1.V PADMANABHA RAO

Counsel for the Contemnor:

1.RAMALINGESWARA RAO KOCHARLA KOTA

The Court made the following:

:: ORDER ::

Heard Sri V.Padmanabha Rao, learned counsel for the petitioner and Sri K.Ramalingeswara Rao, learned counsel for the respondent.

2. The above contempt case is filed complaining violation of the interim order dated 11.07.2024 in I.A.No.1 of 2024 in W.P.No.14563 of 2024.

3. The petitioner filed the aforementioned writ petition to declare the action of respondents 2 to 4 therein in not implementing the enhancement of the age of superannuation from 60 to 62 years, in pursuance of Resolution dated 28.04.2022

in the minutes of the 136th meeting of the Board of Directors of A.P. Backward Classes Cooperative Finance Corporation Limited, as illegal and arbitrary.

4. An interim order was granted on 11.07.2024, directing the 3rd respondent i.e. V.C. and Managing Director, A.P. Backward Classes Cooperative Finance Corporation Limited, to continue the petitioner in service till the petitioner attains the age of 62 years or any further order from this Court.

5. The contempt case was filed on 07.08.2025. It was contended that the 3rd respondent issued proceedings dated 16.07.2024, in pursuance of the interim order, to continue the individual in service till he attains 62 years, subject to the outcome of interim orders/receipt of orders from the Government of Andhra Pradesh / vacation of interim orders by the High Court, whichever occurs first.

6. Be that as it may, the respondent issued proceedings dated 29.07.2025, one year after passing the interim order, retiring and relieving the petitioner from the duties immediately by making alternative arrangements.

7. Sri V.Padmanabha Rao, learned counsel for the petitioner, would submit that the respondent violated the interim order dated 11.07.2024 deliberately and intentionally, and hence, he is liable to be punished.

8. As seen from the High Court Website, a counter affidavit (vacate stay petition) was initially filed on 30.09.2024, however, it was returned. Later, it was resubmitted and numbered on 12.02.2025.

9. In the counter affidavit, it was contended, *interalia*, that the Government of Andhra Pradesh issued Circular Memo No.1813129/FIN01-HR/212/2022-HR-IV, dated 23.09.2022. In the said memo, it was indicated that the age of superannuation from 60 to 62 years was extended to certain Government PSUs/Corporations/Institutions/Companies/Societies/including Educational Institutions/Non-teaching Staff of Universities, without having the necessary competency. The G.O.Ms.No.15 Finance (HR IV-FR & LR) Department, dated 31.01.2022 would not apply to the categories of employees, except the four categories of employees provided therein. In some other writ petition relating to similarly placed corporations, a request was made to enhance the age of superannuation from 60 to 62 years, was rejected.

10. Sri K.Ramalingeswara Rao, learned counsel for the respondent, would submit that the respondent has not violated the interim order passed by this Court and requested to dismiss the contempt case by discharging the respondent.

11. Contempt case was initially listed on 14.08.2025, and notice was ordered. Thereafter, it was listed on 12.09.2025 and adjourned at the request of learned counsel for the respondent. Later, the C.C. was adjourned at the request of learned counsel for the respondent on a couple of occasions. Thereafter, the

contempt case was admitted on 14.11.2025. The respondent/contemnor appeared before this Court on 05.12.2025, and his presence was dispensed with for the time being. On 26.12.2025 when the Court asked the learned counsel for the respondent to lead the evidence, if any, he submitted that the respondent would not lead any evidence and the averments made in the counter affidavit are sufficient.

12. While admitting the contempt case, this Court framed the following charges:

- 1) Whether the act of the respondent in issuing proceedings *vide* Rc.No.32/A/2024 dated 29.07.2025 is deliberate and intentional?
- 2) Whether the respondent is liable to be punished under Sections 10 to 12 of the Contempt of Courts Act r/w Article 215 of the Constitution of India?

13. As narrated *supra*, an interim order was passed on 11.07.2024. The respondent, in pursuance of the interim order, continued the petitioner in service till 29.07.2025. Thus, for one year, the respondent authority adhered to the order. Later, the petitioner was discharged from duties by a proceeding dated 29.07.2025.

14. The petitioner filed the contempt case on 07.08.2025. As can be seen from the online status in High Court website, though the counter was filed on 30.09.2024, the same was returned, and

later, it was numbered on 12.02.2025. Thus, even after filing the counter and vacate stay petition, the respondent/contemnor allowed the petitioner to continue in service. Having filed a vacate stay petition, the respondent ought to have pursued the same and should have waited till an order in that petition. It is not the case of the respondent that the vacate stay petition was filed immediately, and the petitioner was not extended the benefit of an interim order. Having extended the benefit of the interim order to the petitioner, one year thereafter, retiring the petitioner from service by issuing proceedings dated 29.07.2025, in the considered opinion of this Court, the respondent defied the interim order dated 11.07.2024 in I.A.No.1 of 2024 in W.P.No.14563 of 2024. Such defiance is deliberate and intentional. The respondent/contemnor will not be allowed to sit over the interim order.

15. In this connection, it is beneficial to refer to the relevant provisions of the Contempt of Courts Act. Section 2 (b) of the Act defines civil contempt to mean willful disobedience of any judgment, decree, direction, order, writ or other process of a Court or willful breach of an undertaking given to a Court. Section 12 of the Act deals with punishment for contempt of court. Section 12(1) prescribes the punishment of six months simple imprisonment, maximum or with a fine which may extend to two thousand rupees or both. Proviso specifies that the accused may be discharged, or the punishment awarded may be remitted on an apology being made to the satisfaction of the court. Explanation clarifies that the apology shall not be rejected on the

ground that it is qualified or conditional if the accused makes it *bona fide*.

16. In **Baradakanta Mishra Vs. Bhimsen Dixit**¹, the Hon'ble Apex Court held that contempt of Court signifies a willful disregard or disobedience of the Court by acting in opposition to the authority of Justice and dignity thereof. It further held that it signifies a willful disregard or disobedience of the Court order; it also signifies such conduct as tending to bring the authority and administration of law into disrepute.

17. In the celebrated decision of **Attorney General Vs. Times Newspaper Ltd.**², Lord Diplock stated: (All ER p. 71f)

“There is an element of public policy in punishing civil contempt, since the administration of justice would be undermined if the order of any court of law could be disregarded with impunity;....”

18. The Hon'ble Apex Court in **Supreme Court Bar Association Vs. Union of India**³, briefly explained the nature and purpose for which contempt jurisdiction would be exercised by the Constitutional Courts. It held thus:

“42. The contempt of court is a special jurisdiction to be exercised sparingly and with caution whenever an act

¹ (1973) 1 SCC 446

² (1974) AC 273 : (1973) 3 All ER 54 : (1973) 3 WLR 298 (HL)

³ (1998) 4 SCC 409

adversely affects the administration of justice or which tends to impede its course or tends to shake public confidence in the judicial institutions. This jurisdiction may also be exercised when the act complained of adversely affects the majesty of law or dignity of the courts. The purpose of contempt jurisdiction is to uphold the majesty and dignity of the courts of law. It is an unusual type of jurisdiction combining “the jury, the judge and the hangman” and it is so because the court is not adjudicating upon any claim between litigating parties. This jurisdiction is not exercised to protect the dignity of an individual judge but to protect the administration of justice from being maligned. In the general interest of the community it is imperative that the authority of courts should not be imperilled and there should be no unjustifiable interference in the administration of justice. It is a matter between the court and the contemnor and third parties cannot intervene. It is exercised in a summary manner in aid of the administration of justice, the majesty of law and the dignity of the courts. No such act can be permitted which may have the tendency to shake the public confidence in the fairness and impartiality of the administration of justice.”

19. In **E.T.Sunup Vs. C.A.N.S.S. Employees Association**⁴, the Supreme Court belittled the practice of the Government officials of circumventing and undermining the Court orders. In Para-16, the Court observed:

⁴ (2004) 8 SCC 683

“16. It has become a tendency with the Government Officer to somehow or the other circumvent the orders of Court and try to take recourse to one justification or other. This shows complete lack of grace in accepting the orders of the Court. This tendency of undermining the court's order cannot be countenanced. This Court time and again has emphasized that in democracy the role of the Court cannot be subservient to the administrative fait. The executive & legislature has to work within Constitutional frame work, and the judiciary has been given a role of watch dog to keep the legislature & executive within check. In the present case, we fail to understand the counter filed by the appellant before the Court. On one hand they say that all the cases of GPF have been processed and on the other hand they are not prepared to revoke the administrative order. This only shows a deliberate attempt on the part of the bureaucracy to circumvent the order of the Court and stick to their stand. This is clear violation of Court's Order and appellant is guilty of flouting the Courts Order.”

While referring to the plea of showing mercy regarding penalty, the Supreme Court observed:

“But if the Court's orders are flouted like this, then people will loose faith in the courts. Therefore, it is necessary to deal with such type of violation of Court's order with strong hands and to convey to the authorities that the courts are not going to take things lightly.”

20. In **Anil Ratan Sarkar Vs. Hirak Ghosh**⁵, the Hon'ble Apex Court held that the Contempt of Courts Act has been introduced in the statute book for securing confidence of people in the administration of justice. If an order passed by a competent court is clear and unambiguous and not capable of more than one interpretation, disobedience or breach of such order would amount to contempt of court. There can be no laxity in such a situation because otherwise the court orders would become the subject of mockery. Misunderstanding or one's own understanding of the court's order would not be a permissible defence. It was further observed that –

“In the contextual facts there cannot be any laxity, as otherwise the law courts would render themselves useless and their order to utter mockery. Feeling of confidence and proper administration of justice cannot but be the hallmark of Indian jurisprudence and contra-action by courts will lose its efficacy. Tolerance of law courts there is, but not without limits and only upto a certain point and not beyond the same.”

21. In **Ashok Paper Kamgar Union Vs. Dharam Godha**⁶, the Hon'ble Apex Court held that the concept of “wilful disobedience” of an order of the Court. It was stated that “wilful” means an act or omission which is done voluntarily and with the specific intent to do something the law forbids or with the specific intent to fail to do

⁵ (2002) 4 SCC 21

⁶ (2003) 11 SCC 1

something the law requires to be done, that is to say, with bad purpose either to disobey or to disregard the law. According to the Court, it signifies the act done with evil intent or with a bad motive for the purpose. It was observed that the act or omission has to be judged having regard to the facts and circumstances of each case.

22. In **Karnataka Housing Board Vs. C.Muddaiah**⁷, the Hon'ble Apex Court held that once a direction is issued by a competent court, it has to be obeyed and implemented without any reservation. If an order passed by a court of law is not complied with or is ignored, there will be an end of rule of law. If a party against whom such order is made has grievance, the only remedy available to him is to challenge the order by taking appropriate proceedings known to law. But it cannot be made ineffective by not complying with the directions on a specious plea that no such directions could have been issued by the Court. Upholding of such argument would seriously affect and impair administration of justice.

23. In **Maninderjit Singh Bitta Vs. Union of India (UOI) and Ors.**⁸, the Hon'ble Apex Court held that every person, be it a party to a *lis* before the court and even otherwise, must obey orders of the Court, in its true letter and spirit, with due respect for the institution.

⁷ (2007) 7 SCC 689

⁸ (2012) 1 SCC 273

24. In **L.D.Jaikwal Vs. State of U.P.**⁹, the Apex Court observed that:

20. We are sorry to say we cannot subscribe to the 'slap-say sorry-and forget' school of thought in administration of contempt jurisprudence, Saying 'sorry' does not make the skipper poorer. Saying sorry does not make the person taking the slap smart less upon the said hypocritical word being uttered. Apology shall not be paper apology and expression sorry should come from the heart and not from the pen. For it is one thing to say sorry is another to feel sorry.

21. The apology tendered by the respondent-contemnor is neither a product of remorse nor is there any evidence of real contrition on his part. It is but a crude and crafty attempt to avoid being committed for contempt. Accepting such an apology, in the facts and circumstances of the present case, would result in the respondent-contemnor going scot free after committing gross contempt of Court.

25. In **Chairman, West Bengal Administrative Tribunal Vs S.K.Manobbor Hossain**¹⁰, the Hon'ble Apex Court observed that contempt jurisdiction enjoyed by the court is only for the purpose of upholding the majesty of the judicial system that exists. While

⁹ (1984) 3 SCC 405

¹⁰ (2012) 11 SCC 761

exercising this power, the court must not be hypersensitive or swung emotions, but must act judicially.

26. In **J.Vasudevan Vs. T.R. Dhananjaya**¹¹, the Hon'ble Apex Court observed that:

“While awarding sentence on a contemnor, the Court does so to uphold the majesty of the law and to ensure that the unflinching faith of people in Courts remains intact. If the guilty are let off, and their sentence remitted on grounds of mercy, people would lose faith in the administration of justice. The Court is duty-bound to award proper punishment to uphold the rule of law, however high the person may be.”

27. In a recent judgement, the Apex Court in **Sitaram Enterprises Vs. Prithviraj Vardichand Jain**¹², observed that:

“Disregarding a Court's order may seem bold, but the shadows of its consequences are long and cold.”

1. Contempt of court is a serious legal infraction that strikes at the very soul of justice and the sanctity of legal proceedings. It goes beyond from mere defiance of a Court's authority, but also denotes a profound challenge to the principles that underpin the rule of law. At its core, it is a profound disavowal of the respect and adherence to the judicial process, posing a concerning threat to integrity of

¹¹ (1995) 6 SCC 249

¹² 2024 SCC OnLine SC 2493

judicial system. When a party engages in contempt, it does more than simply refusing to comply with a Court's order. By failing to adhere to judicial directives, a contemnor not only disrespects the specific order, but also directly questions the Court's ability to uphold the rule of law. It erodes the public confidence in the judicial system and its ability to deliver justice impartially and effectively. Therefore, power to punish for Contempt of Court's order is vital to safeguard the authority and efficiency of the judicial system. By addressing and penalizing contemptuous conduct, the legal system reinforces its own legitimacy and ensures that judicial orders and proceedings are taken seriously. This deterrent effect helps to maintain the rule of law and reinforces public's faith in the judicial process, ensuring that Courts can function effectively without undue interference or disrespect.

2. Contempt powers are integral to maintaining the sanctity of judicial proceedings. The ability to address contempt ensures that the authority of the court is respected and that the administration of justice is not hampered by willful disobedience. In the said context, the power of this Court to punish for contempt is a cornerstone of its authority, integral to the administration of justice and the maintenance of its own dignity. Enshrined in Article 129 of the Constitution of India, this power is essential for upholding the rule of law and ensuring due compliance by addressing actions that undermine its authority, obstruct its proceedings, or diminish the public trust and confidence in the judicial system.

28. A conspectus of the authorities referred to *supra*, punishing a person for contempt of court is indeed a drastic step, and normally, such an action should not be resorted to. At the same time, however, it is not only the power but the duty of the court to uphold and maintain the dignity of courts and majesty of law, which may call for such extreme steps. It is for the proper administration of justice and to ensure due compliance with the orders passed by a court, the court should require taking strict view under the Act. The Court should not hesitate in exercising the mighty weapon of contempt.

29. In the case at hand, as pointed out *supra*, having honoured the order, all of a sudden, the respondent/contemnor, removed and relieved the petitioner by placing a memo, which is not an executive order. The respondent/contemnor, tried to justify the removal of the petitioner by giving some reasons which are, *prima facie*, contemptuous. Much depends upon the Rules and regulations of each Corporation. The respondent/contemnor is guilty of contumacious conduct of flouting the order of this court. The conduct of the officer in bringing down the majesty of the law further creates doubts in society about the efficacy of the order of the Constitutional Court. Accordingly, the respondent/contemnor is liable to be punished.

30. Since this Court found the respondent violated the interim order, he is liable for punishment. Hence, this Court deems it appropriate to call upon the respondent/contemnor to submit his plea regarding the quantum of punishment. To hear the

respondent/contemnor regarding the punishment list, the contempt case on 12-2-2026.

31. On 12.02.2026, Sri Satyanarayana, respondent/contemnor, appeared before this Court and sought time to purge the contempt by implementing the order referred to *supra*. Hence, the contempt case was adjourned to 13.02.2026.

32. On 13.02.2026, when the contempt case was taken up, learned counsel appearing for the respondent submitted G.O.RT.No.13, Backward Classes Welfare (C) Department, dated 12.02.2026. Having noticed the G.O., this Court pointed out regarding the mention of "C.C.No.2120/2025 in W. P. No. 14563/2024" in the G.O.RT.No.13, dated 12.02.2026. For that, the learned counsel sought time. Accordingly, the matter was adjourned to today.

33. Today, when the matter is taken up, learned counsel appearing for the respondent submitted the G.O.RT.No.15 Backward Classes Welfare (C) Department, dated 13.02.2026, by rectifying the mistake crept in G.O.Rt.No.13, dated 12.02.2026 and would further submit that the petitioner joined the duty on 18.02.2026. Learned counsel for the petitioner endorses the same.

34. Though this Court passed an order that the respondent violated the interim order dated 11.07.2024 passed in I.A.No.1 of 2024 in W.P.No.14563 of 2024, since the respondent purged the contempt case by issuing G.O.RT.No.13, dated 12.02.2026 and

G.O.RT.No.15, dated 13.02.2026 referred to *supra*, however, with some delay, and thereafter, the petitioner joined the duty on 18.02.2026, the respondent is discharged from the contempt. This court advises the respondent not to repeat the contemptuous acts, vis-à-vis implementing the orders of the court in future.

35. Given the facts and circumstances of the case, the Contempt Case is dismissed. No order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Dated: 19.02.2026
PVD/TVN

230

IN THE HIGH COURT OF ANDHRA PRADESH: AMARAVATI

THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

CONTEMPT CASE No.2120 OF 2025

Date: 19.02.2026

PVD/TVN