

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

THURSDAY, THE THIRTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

CONTEMPT CASE NO: 3926 OF 2022



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 initiate contempt proceedings against the respondents for their willful and deliberate disobedience of order dated 29.10.2021 passed in WP.No.16498 of 2021 by this Hon'ble Court and punish them for the offence of Contempt under the provisions of sections 10 to 12 of Contempt of Courts Act, 1971 in interest of justice and in the circumstances of the case.

BETWEEN:-

A. Anjali Devi, W/o Late A Dasaratha Rama Naidu, Yerrammita Sivajyothi Nagar, Tirupathi, Chittoor District.

...PETITIONER

AND

1. Sri Gopala Krishna Dvivedi, IAS, The Principal Secretary (PR and RD), Secretariat buildings, Velagapudi, Amaravathi.
2. Sri K. Sasidhar, IAS, The Commissioner, Panchayat Raj and Rural Development, Tadepalli, Guntur district.
3. Sri. Prabhakar Reddy, The Chief Executive Officer, Zilla Praja Parishat, Chittoor.
4. Sri Sathish, The Mandal Parishat Development Officer, Vijayapuram Mandalam, Chittoor District.

...RESPONDENTS

Counsel for the Petitioner :- SRI J.V.PHANIDUTH

Counsel for the Respondent :- SRI VADAPALLI RAMESH

Counsel for the Respondent :- SRI B.V. APARNA LAKSHMI

The Court made the following:



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

[3331]

THURSDAY ,THE THIRTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

CONTEMPT CASE NO: 3926/2022

Between:

A Anjali Devi,

...PETITIONER

AND

Sri Gopala Krishna Dvivedi and Others

...CONTEMNOR(S)

Counsel for the Petitioner:

1.J.V.PHANIDUTH

Counsel for the Contemnor(S):

1.VADAPALLI RAMESH

2.B V APARNA LAKSHMI

The Court made the following order:

The above contempt case is filed complaining about violation of the order dated 29.10.2021 in W.P.No.16498 of 2021.

2. The petitioner filed the above writ petition to declare the action of the respondents in not paying family pension, gratuity and other retirement benefits of the petitioner's deceased husband, who died on 08.12.2016, as illegal and arbitrary.

3. The said writ petition was disposed of with the following direction:

"... In that view of the matter, this Court is of the opinion that the respondents are not right in retaining or holding back the family pension, gratuity, and other retirement benefits. Petitioner is the spouse of the deceased employee. Respondents are directed to pay the amounts due with interest at the rate of 6% per annum, in view of the delay. The pension papers submitted in September, 2017 and six months period is given to the respondents to process the same. On their failure, the right to pay the interest accrues. Therefore, from 1st March, 2018 the interest should be paid within four (04 weeks of the receipt of a copy of this order. It is needless to say this order will not come in the way of the respondents from taking appropriate legal action if they are so advised.

4. In the affidavit filed in support of the contempt case, it was pleaded that despite the petitioner's representation, in pursuance of the order dated 29.10.2021, the respondents failed to pay the benefits.

5. At the hearing, Sri Ramesh, learned counsel for respondents 1 and 2 submitted a copy of G.O.Rt.No.694 Panchayat Raj and Rural Development (Vig.V) Department dated 29.12.2021.

6. As seen from the said G.O., the Commissioner, PR & RD has submitted the Enquiry Report of Accounts Officer, ZPP, Chittoor, who was appointed as Enquiry Officer by the CEO, ZPP, Chittoor, wherein it was stated that A. Dasarathrama Naidu, deceased MPDO, MPP, Vijayapuram, himself appropriated an amount of Rs.20,73,299/-. Later, the Joint Collector, Chittoor has been appointed as Enquiry Officer to unearth all the facts, including identifying the other persons, if any, involved in the misappropriation of funds of Rs.20,73,299/-. Subsequently, the CEO, ZPP, Chittoor District has

submitted enquiry report of Joint Collector, Chittoor District, wherein it was stated that three persons, including the deceased were responsible for misappropriation of the Government funds to a tune of Rs.20,73,299/- and directed the MPDO, Vijayapuram to recover the misappropriated amount from the said individuals at the ratio of 50:30:20 respectively. Against the deceased person, the amount to be recovered is 50% out of Rs.20,73,299/- and further action against the deceased was dropped as abated, duly recovering 50% of Rs.20,73,299/- under Rule 9 of the Revised Pension Rules, 1980.

7. Sri J.V. Phaniduth, learned counsel for the petitioner, submitted that an amount of Rs.1,63,350/- was credited to the petitioner's account.

8. Given the above submission, since the respondents adhered to the order dated 29.10.2021, and paid the amount to the petitioner, though some delay occurred, in the considered opinion of this court, the respondents did not violate the order dated 29.10.2021 in W.P.No.16498 of 2021.

9. Therefore, this contempt case is closed, giving liberty to the petitioner to challenge G.O.Rt.No.694 Panchayat Raj and Rural Development (Vig.V). Department dated 29.12.2021. No costs.

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

//TRUE COPY//

Sd/- E KAMESWARA RAO
JOINT REGISTRAR
SECTION OFFICER

To,

1. Sri Gopala Krishna Dvivedi, IAS, The Principal Secretary (PR and RD), Secretariat buildings, Velagapudi, Amaravathi.
2. Sri K. Sasidhar, IAS, The Commissioner, Panchayat Raj and Rural Development, Tadepalli, Guntur district.
3. Sri Prabhakar Reddy, The Chief Executive Officer, Zilla Praja Parishat, Chittoor.

4. Sri Sathish, The Mandal Parishat Development Officer, Vijayapuram Mandalam, Chittoor District.
5. One CC to Sri J.V.Phaniduth, Advocate [OPUC]
6. One CC to Sri B.V. Aparna Lakshmi, Advocate (OPUC)
7. One CC to Sri Vadapalli Ramesh, Advocate [OPUC]
8. Three C.D Copies

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HIGH COURT

DATED: 13/03/2025

ORDER

CC.NO.3926 OF 2022



CONTEMPT CASE IS CLOSED.