



IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 1ST DAY OF JULY, 2024

PRESENT

THE HON'BLE MR JUSTICE S G PANDIT

AND

THE HON'BLE MR JUSTICE G BASAVARAJA

CIVIL CONTEMPT PETITION NO.100040 OF 2024

BETWEEN:

- 1) ABDUL, S/O. DADASAB,
AGED ABOUT: 51 YEARS,
- 2) THIMAPPA B. S/O. SANNAPPA,
AGED ABOUT: 49 YEARS,
- 3) GHOUSE B.M. S/O. YUSUF,
AGED ABOUT: 38 YEARS,
- 4) HANUMANTHA HEGADE S/O. NEELAPPA HEGADE,
AGED ABOUT: 39 YEARS,
- 5) MARESHA S/O. JOGAIAH,
AGED ABOUT: 40 YEARS,
- 6) HARUNBASHA S/O. HANIFSAB,
AGED ABOUT: 56 YEARS,
- 7) BALAJI SINGH S/O. RAMSINGH,
AGED ABOUT: 54 YEARS,
- 8) NAGARAJA RAO S/O. RAMARAO,
AGED ABOUT: 58 YEARS,
- 9) KALEEMULLHA S/O. GHOUSE,
AGED ABOUT: 48 YEARS,
- 10) HABIBULLA S/O. DADASAB,
AGED ABOUT: 40 YEARS,
- 11) RAJU M.P.B. S/O. PRATAP,
AGED ABOUT: 45 YEARS,

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VINAYAKA B V
Location: HIGH
COURT OF
KARNATAKA



- 12) SRINIVASA V. S/O. VENKATASWAMY,
AGED ABOUT: 45 YEARS,
- 13) SRINIVAS G. S/O. ANJANEYALU,
AGED ABOUT: 43 YEARS,
- 14) SATYAPPA S/O. BARAMAPPA,
AGED ABOUT: 58 YEARS,
- 15) VENKOBI S/O. SHESHAPPA,
AGED ABOUT: 54 YEARS,
- 16) GANGADHARA N. S/O. MARALINGAPPA,
AGED ABOUT: 41 YEARS,
- 17) SRINIVASA Y. M/O. MAHALAKSHMI,
AGED ABOUT: 42 YEARS,
- 18) CHINNAKKA D/O. RAMULU,
AGED ABOUT: 46 YEARS,
- 19) RAJESWARI W/O. ASHOKA,
AGED ABOUT: 47 YEARS,
- 20) MANJUNATH S/O. DYAVAPPA,
AGED ABOUT: 33 YEARS,
- 21) ABDUL ROUF S/O. SHAIK SAB,
AGED ABOUT: 57 YEARS,
- 22) BASAPPA S/O. ERANNA,
AGED ABOUT: 56 YEARS,
- 23) SHARIF S/O. RAJASAB,
AGED ABOUT: 53 YEARS,
- 24) SATISH CHANDRA S/O. GIDDAPPA,
AGED ABOUT: 49 YEARS,
- 25) H. BHEEMSINGH S/O. SEETHARAMA SINGH,
AGED ABOUT: 39 YEARS,
- 26) PARVATHAMMA W/O. VEERESHAPPA,
AGED ABOUT: 54 YEARS,



- 27) SHANTHAMMA W/O. HANUMANTHAPPA,
AGED ABOUT: 43 YEARS,
- 28) MARUTHI S/O. NEELAGIRIYAPPA,
AGED ABOUT: 49 YEARS,
- 29) B. ERAPPA S/O. BASAYYA,
AGED ABOUT: 51 YEARS,
- 30) PUJARI S/O. RANGAPPA,
AGED ABOUT: 41 YEARS,
- 31) HAMPAKKA W/O. MUSTAPPA,
AGED ABOUT: 52 YEARS,
- 32) AMODHA W/O. SRINIVASA,
AGED ABOUT: 38 YEARS,
- 33) RADHA W/O. GANGADHARA,
AGED ABOUT: 46 YEARS,
- 34) ANANDAMMA W/O. HONNURASWAMY,
AGED ABOUT: 33 YEARS,
- 35) MALLIKARJUNA S/O. MADANNA,
AGED ABOUT: 44 YEARS,
- 36) CHANDRAMMA W/O. NAGAPPA,
AGED ABOUT: 53 YEARS,
- 37) T. MAHESH S/O. MURULIDHARA RAO,
AGED ABOUT: 54 YEARS,
- 38) N. MEHABOOB BASHA S/O. IMAMSAB,
AGED ABOUT: 53 YEARS,
- 39) MURUGAMMA W/O. NAGARAJ,
AGED ABOUT: 54 YEARS,
- 40) P. PADMA W/O. HANUMATHAREDDY,
AGED ABOUT: 46 YEARS,
- 41) RAZIA S/O. RAMJANI,
AGED ABOUT: 47 YEARS,



- 42) B. SUMANGALA W/O. MURTHI,
AGED ABOUT: 50 YEARS,
- 43) KRISHNAVENI W/O. RAJU,
AGED ABOUT: 48 YEARS,
- 44) TAYAMMA W/O. THIMMAPPA,
AGED ABOUT: 52 YEARS,
- 45) LAKSHMI B.,
W/O. SATYANARAYANA,
AGED ABOUT: 43 YEARS,
- 46) GANGAMMA D/O. TAMMAYYA,
AGED ABOUT: 35 YEARS,
- 47) DODDA BHARMAVVA,
W/O. METTAPPA,
AGED ABOUT: 52 YEARS,
- 48) PALAYYA S/O. DURUGAPPA,
AGED ABOUT: 56 YEARS,
- 49) THIMMAYYA S/O. MUKAPPA,
AGED ABOUT: 33 YEARS,
- 50) MARANNA S/O. KARIYAMMA,
AGED ABOUT: 36 YEARS,
- 51) HONNURAMMA W/O. BASAVARAJ,
AGED ABOUT: 40 YEARS,
- 52) RAMADEVI W/O. NEELAPPA,
AGED ABOUT: 39 YEARS,
- 53) GAYATHRI W/O. JOGAIAH,
AGED ABOUT: 44 YEARS,
- 54) ERAMMA D/O. METTAPPA,
AGED ABOUT: 39 YEARS,
- 55) RAMESHA S/O. DODDA BASAPPA,
AGED ABOUT: 40 YEARS,



(ALL THE COMPLAINANTS ARE WORKING IN
ARCHAEOLOGICAL SURVEY OF INDIA, HAMPI,
MINI CIRCLE, KAMALAPURA,
DIST: BALLARI-583221).

- COMPLAINANTS

(BY SRI RAVI HEDGE, ADVOCATE)

AND:

1) DR. NIHILDAS N.,
AGE: MAJOR,
THE DEPUTY SUPERINTENDENT
ARCHAEOLOGIST,
ARCHAEOLOGICAL SURVEY OF INDIA,
HAMPI MINI CIRCLE, KAMALAPURA,
DIST: BALLARI-583221.

2) MR. YADUBIR SINGH RAWAT,
AGE: MAJOR, THE DIRECTOR GENERAL,
ARCHAEOLOGICAL SURVEY OF INDIA,
TILAK MARG, NEW DELHI-110001.

- ACCUSED

(BY SRI M.B. KANAVAI, ADVOCATE FOR A1-A2)

THIS CCC IS FILED UNDER SECTION 11 AND 12 OF THE
CONTEMPT OF COURTS ACT, 1971, R/W. ARTICLE 215 OF
CONSTITUTION OF INDIA, 1950, PLEASED TO, TAKE COGNIZANCE
OF AN OFFENCE PUNISHABLE UNDER SECTION 11 AND 12 OF
CONTEMPT OF COURTS ACT, 1971 AND PUNISH THE ACCUSED
PERSONS FOR HAVING DISOBEYED THE ORDER PASSED IN WRIT
PETITION NO.105799/2023 (S-RES), DATED 5.10.2023, VIDE
ANNEXURE-A, PASSED BY THE SINGLE JUDGE, HIGH COURT OF
KARNATAKA, DHARWAD BENCH AND ETC.,

THIS CCC, COMING ON FOR ORDERS, THIS DAY,

S G PANDIT, J., MADE THE FOLLOWING:



ORDER

This contempt petition is filed complaining disobedience of the order dated 05.10.2023 in W.P. No. 105977/2023 wherein this Court disposed of the writ petition with the same direction as issued in W.P. No. 147372/2020. In W.P. No. 147372/2020 this Court passed the following order.

"The prayer of the petitioners is to quash condition No.2 mentioned in the Tender Notification dated 12.06.2020 which is produced at Annexure P and for a mandamus to the respondents to grant temporary status or 1/30th salary benefit from the year 2014 as directed by this Court in W.P.No.106447-560/2018. A prayer is also made to regularize the services in terms of the DOPT Circular dated 10 .09.1993 and 08.04.1991.

2. Learned counsel for the petitioners has filed a memo stating that the respondents have in fact granted the payment of 1/30th wages along with other statutory benefits to the workman at Shimla circle and the petitioners being similarly situated, would also be entitled for the same relief. The copy of the order dated 17.03.2022 is also produced along with the memo.

3. In view of the fact that the respondents have granted the benefit to similarly placed employees as could be evidenced from the order dated 17.03.2022 which is produced along with the memo dated 29.03.2022 , it would be just and proper to direct the respondents to accord the same benefit that is granted to the workman at Shimla circle under the



order dated 17.03.2022 , to the petitioners within a period of eight weeks from the date of receipt of a certified copy of this order.

Writ petition is accordingly disposed of."

2. This Court on 18.06.2023 on hearing the learned counsel for the parties had made it clear that if the Court order is not implemented by the next date of hearing, the respondents no.1 and 2 shall be present before the Court for further action.

3. Today, compliance affidavit of one Dr.Nihildas.N, accused no.1 is filed enclosing office order dated 28.06.2024 of the Ministry of Culture, Archaeological Survey of India, Hampi, Hosapete granting payment of wages at the rate of 1/30 of the pay at the minimum of Level-1 Pay scale (Rs.18,000/- to Rs.56900/-) plus dearness allowance for work of 8 hours a day in accordance with the provisions contained in the DOP&T OM No.49014/2/86-Estt.(C) dated 07.06.1988.

4. Further, Sri M.B. Kanavi, learned Senior Central Government Counsel, on instructions from the accused no.1- Dr.Nihildas.N, who is present before the Court, submits that within another two months, amount in pursuance to the office



order dated 28.06.2024 would be credited to the account of the complainants. The said submission is placed on record.

5. On hearing the learned counsel, on going through the office order dated 28.06.2024 and the submission of the learned Senior Central Government Counsel Sri M.B. Kanavi, on instructions that the benefit would be credited to the complainants' account within two months time, we are of the view that there is substantial compliance of the order and we deem it appropriate to drop further proceedings. Ordered accordingly. We find that there is no deliberate or willful disobedience of the order. It is open for the complainants to question the office order dated 28.06.2024, if they are aggrieved.

With the above observations, the contempt petition is disposed off.

Sd/-
JUDGE

Sd/-
JUDGE