IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY ,THE TWENTY FIRST DAY OF FEBRUARY TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

CONTEMPT CASE NO: 793 OF 2024

Contempt Case filed under sections 10 to 12 of Contempt courts act to punish the respondents herein for willfully disobeying and deliberately violating the orders of the High court dated 23-09-2023 passed in W.P 576 of 2008

Between:

1. K. Ananda Prasad, S/o. Sri Venkata Subba Rao Aged 75 years, Occ: Pensioner, R/o. Flat No. 308 (B), Siri Sampada Residency, O. U. Road, Vidya Nagar, Hyderabad- 500 044, T. S.

...PETITIONER

AND

1. Shri Dinesh Kumar Khara, Chairman, State Bank of India, Corporate Centre, State Bank Bhavan, Madam Cama Road, Nariman Point Mumbai- 400 021.
2. Shri Rajesh Kumar, Chief General Manager, State Bank of India, Local Head Office, Bank Street, Koti, Hyderabad- 500 095.

...RESPONDENTS/ RESPONDENTS

Counsel for the Petitioner: SRI. AZIZ HUSSAIN

Counsel for the Respondent No.2: V.UMA DEVI

The Court made the following: ORDER

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

CONTEMPT CASE No.793 of 2024

ORDER: *(Per Hon'ble The Acting Chief Justice)*

This Contempt Case is arising out of the judgment passed by this Court in W.A.No.576 of 2008 dated 23.09.2023. This Court in the operative portion of the said judgment held as under:

> "20. For the aforementioned reasons, the order dated 26.02.2008 passed by the learned Single Judge in W.P.No.18599 of 2002 is set aside. The appellant has attained the age of superannuation during the pendency of this writ appeal on 30.09.2008. Therefore, it is directed that the Bank shall consider the case of the appellant for promotion to the post of Senior Management Scale V as on 01.11.2002 without taking into account the performance of the appellant indicated in the performance appraisal reports for the years 1998-1999 and 1999-2000. Needless to state that in case the appellant is found entitled for promotion to the post of Senior Management Scale V, he shall be entitled to all consequential benefits. The aforesaid exercise shall be completed by the Bank within a period of four months from today."
>
> (Emphasis Supplied)

2. Learned counsel for the respondents submits that the document dated 22.01.2024, which is filed along with compliance report shows that the petitioner was considered and even after complying with the order of this Court, the petitioner was not found suitable for the promotion.

3. The stand of the learned counsel for the petitioner is that the consideration of the respondents is not proper and therefore, the rejection order is also not justifiable.

4. It is noteworthy that in the judgment passed by this Court, this Court has not directed to promote the petitioner, instead this Court directed to consider the case of the petitioner and if he is found entitled/suitable for promotion to the post of Senior Management Scale V, he may be promoted from the due date. If the petitioner's claim has been considered and he was not found suitable, such action or decision can be called in question in appropriate fresh proceedings. In absence of violation of any positive direction no case for exercising contempt proceedings is made out. If the consideration is faulty or erroneous, the appropriate remedy for the petitioner is to challenge the rejection in appropriate fresh proceedings (see **V. Kanakarajan v. GM, S.E.Rly.**[1], **Anil Kumar Shahi v. Prof. Ram Sevak Yadav**[2] and **Manjula Choudhary v. Priyanka Chauhan**[3]).

5. In view of the aforesaid, nothing remains to be decided in this Contempt Case and the same is **dismissed** while reserving liberty to the petitioner to challenge the rejection orders in

[1] (1996)10 SCC 102
[2] (2008) 14 SCC 115
[3] (2015) 4 MPLJ 704 DB

appropriate proceedings. There shall be no order as to costs. Miscellaneous applications, if any, pending shall stand closed.

SD/- K SHYLESHI
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Shri Dinesh Kumar Khara, Chairman, State Bank of India, Corporate Centre, State Bank Bhavan, Madam Cama Road, Nariman Point Mumbai- 400 021.
2. Shri Rajesh Kumar, Chief General Manager, State Bank of India, Local Head Office, Bank Street, Koti, Hyderabad- 500 095.
3. One CC to SRI. AZIZ HUSSAIN Advocate [OPUC]
4. One CC to SRI. Advocate [OPUC]
5. **Two CD Copies**

RM/SS

HIGH COURT

HAC,J &
NVSK,J

DATED:21/02/2025



ORDER

CC.No.793 of 2024

CONTEMPT CASE IS DISMISSED

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by
28/7/25