

THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

C.A.Nos.12 & 13 OF 2017

COMMON JUDGMENT: *(Per the Hon'ble the Chief Justice Hima Kohli)*

1. Mr. Prashant J. Patil, District Collector, Nalgonda and P.Sandhya Rani, District Supply Officer (retired) are virtually present before this court.

2. On the last date of hearing, we had enquired from learned Special Government Pleader appearing for the appellant in C.A.No.12 of 2017 if the appellant would be willing to contribute his time to a good cause within the district in which is he presently serving, for this court to consider setting aside the sentence imposed on him by virtue of the impugned order.

3. Pursuant to the aforesaid order, an affidavit has been filed by the appellant in C.A.No.12 of 2017 stating *inter alia* that he is presently posted as Collector in Nalgonda District and that he is willing to go an extra mile to enrol girl children in schools in the Revenue District of Miryalguda, where the enrolment has fallen drastically.

4. In our opinion, this is a part of the official duties expected to be discharged by the appellant in C.A.No.12 of 2017 and cannot be treated as a personal contribution. We have enquired from the appellant in C.A.No.12 of 2017 if he is willing to spend two hours

every week teaching the children of an orphanage situated within the Nalgonda District, where he is residing, for a period of six months. He has readily agreed for the same. Ordered accordingly. The time spent at the orphanage by the appellant shall be certified by the Principal District Judge, Nalgonda District and a Report submitted to this court at the end of six months i.e., on or before 30.10.2021.

5. The apology tendered by the appellant in C.A.No.12 of 2017 is accepted subject to the condition imposed above. The judgment impugned in the said appeal to the extent that it has imposed a sentence of fine of Rs.2,000/- on the appellant and in default thereof, directed him to undergo simple imprisonment for six weeks, is quashed and set aside. Further, it is directed that in the event the appellant faces any contempt proceedings in the future, he shall on his own place a copy of the impugned order herein and this order along with his counter affidavit in response to the contempt petition for the perusal of the concerned court.

6. As for the appellant in C.A.No.13 of 2017, learned Special Government Pleader submits that the appellant has since superannuated in August, 2019 and is presently residing in Hyderabad. He states on instructions that to show contrition, the appellant is ready and willing to visit an orphanage and contribute to it in some manner. He requests that the orphanage may be close to her residence, as she is not keeping good health.

7. It is deemed appropriate to direct the appellant in C.A.No.13 of 2017 to identify an orphanage within the radius of 10 Kms from her residence and arrange a sumptuous meal for the residents of the said orphanage on the auspicious occasions of Ugadi on 13.04.2021 and Sri Rama Navami on 21.04.2021. The in-charge of the said orphanage shall certify that a meal has been hosted by the appellant for all the children of the orphanage on 13.04.2021 and 21.04.2021, which shall be filed by the appellant on an affidavit, on or before 28.04.2021. In the event the said affidavit is not filed within the stipulated timeline, the Registry shall place the matter back before this court at the earliest. The apology tendered by the appellant in C.A.No.13 of 2017 is accepted while cautioning her to be more careful in the future.

8. The present appeals are accordingly closed along with the pending applications, if any.

HIMA KOHLI, CJ

B. VIJAYSEN REDDY, J

07.04.2021
Lrkm