

HIGH COURT OF ANDHRA PRADESH::AT AMARAVATI
MAIN CASE No. W.A.Nos.144, 145 & 148 of 2026
PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
	23.02.2026	<u>DEV,J & SS,J</u> <u>W.A.Nos.144, 145 & 148 of 2026</u> Notice before admission. Learned Government Pleader for Services-I takes notice to the respondent No.1. Learned Government Pleader for Services-II takes notice to the respondent No.2. Mr.P.Ravi Kumar, learned Standing Counsel takes notice for the respondent Nos.3 & 4. List the appeals on 16.03.2026. <u>Interim Order:-</u> Heard the respective counsel and perused the material available on record. The Writ Petitions filed by the appellants seeking to continue in service up to the age of 62 years in terms of the G.O.Ms.No.15, Finance (HR-IV-FR&LR), Department, dated 31.01.2022, till consideration of the proposal sent by the Andhra Pradesh Tribal Welfare Residential Educational Institution Society (Gurukulam), dated 20.05.2022.	

The same are disposed of by a learned Single Judge of this Court by way of a common order, dated 29.01.2026 directing the State Government to consider the feasibility for enhancement of age of Superannuation of employees of the Respondent-Society from 60 to 62 years, as expeditiously as possible, preferably within a period of four (04) months from the date of receipt of copy of the order. It is also made clear that till a concrete decision is taken by the State Government, the petitioners and similar employees of the respondent-society are not entitled for continuation beyond the age of 60 years.

During the course of hearing today, the learned Government Pleader for Services-I appearing for the Finance Department, on written instructions, would submit that the Committee of Hon'ble Ministers, constituted by the State Government, held a meeting on 05.01.2026 to consider the enhancement of age of retirement of the employees, working in Societies and Institutions included in the Schedules IX and X of the Andhra Pradesh Reorganization Act, 2014, and they sought certain information from the various Departments and the same was furnished to the Committee and now the Committee has to hold a meeting to take a decision on this aspect. For that purpose, he sought three (03) weeks time.

On the other hand, the learned Government Pleader for Services-II appearing for the Tribal Welfare Department has placed on record a letter, dated 18.07.2025, issued by the Tribal Welfare (EDN) Department, wherein, it is stated that the proposal submitted by the Secretary, APTWREIS (Gurukulam), Tadepalli, seeking consideration for enhancement of the age of superannuation of employees to 62 years, in terms of G.O.Ms. No. 15, Finance (HR-IV-FR&LR) Department, dated 31.01.2022, has been examined by the Government and found not feasible and accordingly, the said proposal has been rejected.

On hearing the contention of the learned Government Pleader for Services-I appearing for the Finance Department and the contention of the learned Government Pleader for Services-II appearing for the Tribal Welfare Department, it is clear that there is no consistency in the stand of the State Government on this issue.

On one hand, the Government is contending that the issue is under the consideration of the Committee of Hon'ble Ministers and on the other hand, the letter, dated 18.07.2025 of the Tribal Welfare Department, reveals that the proposal sent by the Society on this aspect is already rejected.

Under these circumstances, the direction Nos.1 & 2 issued by the learned Single Judge while disposing the Writ Petitions by a common order, appears to be, unenforceable.

Learned counsel for the petitioners/appellants brought to the notice of this Court that out of the three appeals before this Court, the appellants in two appeals are continued in service by virtue of interim orders passed by this Court, during pendency of the Writ petition and after disposal of the Writ Petitions also they are continued till date. Whereas, in Writ Appeal No.145 of 2026, the appellant is not allowed to continue in spite of interim orders, dated 28.06.2024 passed by this Court, till now.

Considering all these facts and circumstances, we are of the *prima facie* opinion that there is no consistency in the State Government on this issue, so as to continue the petitioners/appellants working in the respondent No.3/Society or not, till the decision to be taken by the Hon'ble Ministers Committee. Besides this, the respondents are showing discrimination in implementing the orders of this Court, which is in violation of the Article 14 of the Constitution of India.

In view of the above, the respondents are directed to

allow the appellants forthwith to continue in service till appropriate decision taken by the Government on this aspect or pending further orders of this Court.

DEV, J

SS,J

PKR