

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE FOURTH DAY OF JANUARY,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:



THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No. 30255 of 2017

Between:

Dr. K. Venkateswara Prasad, S/o. Venkatanarayana, aged 43 years, Working as Assistant Professor, Department of History and Archaeology, Acharya Nagarjuna University, Guntur.

....Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Higher Education (UE.I) Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Represented by its Principal Secretary, Finance Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District.
3. Acharya Nagarjuna University, Represented by its Registrar, Nagarjuna Nagar, Guntur, Guntur District.
4. The University Grants Commission, Represented by its Secretary, Bahadur Shah Zagar Marg, New Delhi-2.

....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or direction more in the nature of Mandamus declaring that the appointment of the petitioner to the post of Assistant Professor in History & Archaeology in the 3rd Respondent University is on regular basis for all purposes from the date of appointment i.e.11-8-2010 with regular pay scales duly declaring the orders issued by the Government in G.O.Ms.No.41 Higher Education (UE) Department dated 30-6-2017 in reducing the cadre strength of Assistant Professors to the Department of History & Archaeology and taking steps to fill up the post of Assistant Professor by issuing notification is illegal, arbitrary and violates Article 14,16 and 21 of the Constitution of India.

These petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and earlier orders of the High Court dated.07.04.2022, 21.04.2022, & 19.09.2017, and upon hearing the arguments of Sri P. V. RAMANA Advocate for the Petitioner and of the Govt. Pleader for Higher Education for respondent Nos. 1 and 2, and of SRI MURALI LINCOLN, Standing Counsel for the Respondent No.3, and of SRI

P.PONNA RAO, Standing Counsel for the Respondent No.4, the Court made the following

ORDER :

The present Writ Petition is filed being aggrieved by the action of the respondents in taking steps for filling up the post of Assistant Professor by issuing a notification and also filed an I.A. for payment of minimum pay scale. This Court at the stage of admission, has directed the respondents to pay minimum pay scale.

For non-implementation of the said order, C.C.No.2253 of 2017 is filed.

The respondents have filed their counters in the main writ petition and the respondents are repeatedly seeking time to make their submissions and this Court granted time for making submissions on behalf of the respondents.

It is the apprehension of the petitioner herein that the respondents have issued a notification and that they may fill up the posts notified. Hence, I.A.No.2 of 2023 is filed with a prayer to direct the respondents to keep one post of Assistant Professor in History vacant, pending disposal of the writ petition.

As the respondents are repeatedly seeking time, this Court is inclined to allow the application and the respondents are directed to keep one post of Assistant Professor in History vacant, for a period of four (04) weeks.

Post after Pongal Vacation, 2024.

//TRUE COPY//

For A

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

To

1. The Principal Secretary, State of Andhra Pradesh, Higher Education (UE.I) Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District.

2. The Principal Secretary, State of Andhra Pradesh, Finance Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District.
3. The Registrar, Acharya Nagarjuna University, Nagarjuna Nagar, Guntur, Guntur District.
4. The Secretary, University Grants Commission, Bahadur Shah Zagar Marg, New Delhi-2. **(Addressees 1 to 4 By RPAD)**
5. One CC to Sri P.V. Ramana, Advocate(OPUC)
6. One CC to SRI MURALI LINCOLN, Standing Counsel [OPUC]
7. One CC to SRI P.PONNA RAO, Standing Counsel [OPUC]
8. Two CCs to GP FOR HIGHER EDUCATION, High Court of Andhra Pradesh [OUT]
9. One spare copy.

PSR

HIGH COURT

TRR,J

DATED: 04.01.2024

NOTE: POST AFTER PONGAL VACATION, 2024.

ORDER

W.P.No. 30255 of 2017

INTERIM DIRECTION

