

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE TWENTY FIFTH DAY OF SEPTEMBER,

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE G.NARENDAR

AND

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

IA No. 1 OF 2024

IN

WA NO: 667 OF 2024



Between:

Sri Krishnadevaraya University, Rep by its Registrar, Anantapur, Anantapur District.

...Appellant/Respondent No.2

(Petitioner in WA 667 OF 2024

on the file of High Court)

AND

1. P.Laxminarayana Reddy, S/o Chinnapa Reddy, Teaching Personnel
Dept of sericulture R/o Door No.122302 Opp to Vijayanagar Law
College Ashoknagar Extension, Anantapur, Anantapur District.

...Writ petitioner/Respondent

2. The state of Andhra Pradesh, Rep by its Secretary, Higher Education
Department, Secretariat Building, Velagapudi, Amaravathi.

...Respondent/Respondent

(Respondents in-do-)

Counsel for the Petitioner : SRI M.KARIBASIAH

Counsel for the Respondents : SRI M.PITCHAIAH

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ appeal, the High Court may be pleased to stay all further proceedings in order dt.06.03.2024 in W.P.No.33089 of 2010 passed by the Honble High Court of

Single Judge, pending disposal of WA No.667 of 2024, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

“Heard learned Additional Advocate General on behalf of the University and the learned counsel for the respondents.

Prima facie the learned single Judge appears to be convinced that the respondent/petitioner is entitled to equal pay scale on the ground of parity of work.

We have perused the pleadings in Writ Petition. The petitioner, as per the pleadings, is only discharging academic duties and that to for 16 hours a week i.e. less than three hours a day. The pleadings do not disclose the particulars of any other service or duties being discharged by the petitioner. Even according to the *Jagjith's* case paragraph no.42 would have been of relevance and the discussion by the learned single Judge has not revealed any satisfaction on the pre-conditions settled by the Hon'ble Apex Court in paragraph no.42.

Be that as it may, the observations of the Constitution Bench in *Umadevi's* case at paragraph no.55 would also have a bearing. In that view of the matter, we are of the *prima facie* opinion that the matter requires consideration as to whether a person who has not undergone the rigors of regular selection process would be entitled to parity in the matter of pay.

It is not in doubt that such back door entries have been wholly disapproved by the Constitutional Bench. In the event that such entries are made entitled to parity in the matter of pay scale, *prima facie* it would appear to be a dilution of the observations of the Constitutional Bench in *Umadevi's* case.

In that view, we are of the opinion that the matter requires further consideration.

For the reasons discussed above, I.A.No.01 of 2024 in both the Writ Appeals are allowed. There shall be a stay of the order impugned subject to the appellant/s paying minimum pay scale of Rs.57,500/- and as may be revised from time to time."

//TRUE COPY//

SD/-B.CHITTI JOSEPH
ASSISTANT REGISTRAR

ch
SECTION OFFICER

For

To,

1. P.Laxminarayana Reddy, S/o Chinnapa Reddy, Teaching Personnel
Dept of sericulture R/o Door No.122302 Opp to Vijayanagar Law
College Ashoknagar Extension, Anantapur, Anantapur District. (by
RPAD)
2. The Secretary, state of Andhra Pradesh, Higher Education Department,
Secretariat Building, Velagapudi, Amaravathi. (By **Special Messenger**)
3. One CC to Sri. M.Karibasaiah, Advocate [OPUC]
4. One CC to Sri. M.Pitchaiah, Advocate [OPUC]
5. Two CCs to GP for Higher Education, High Court of AP [OUT]
6. Two spare copies

MM



HIGH COURT

GN,J

&

KM,J

DATED:25/09/2024

ORDER

IA.No.1 OF 2024

IN

WA.No.667 of 2024

DIRECTION

