

**HIGH COURT OF ANDHRA PRADESH::AT AMARAVATI**

**MAIN CASE No. WRIT APPEAL Nos. 1246, 1235, 1236, 1238, 1239,  
1240, 1318, 1339, 1350, 1358 of 2025,  
W.A.Nos.9, 13 of 2026.**

**PROCEEDING SHEET**

| Sl. No | DATE       | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | OFFICE NOTE |
|--------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
|        | 23.02.2026 | <p><b><u>DEV,J &amp; SS,J</u></b></p> <p style="text-align: center;"><b><u>I.A.Nos.2 of 2025 &amp; 1 of 2026 in<br/>W.A.Nos.1246, 1236, 1238, 1239, 1240 of<br/>2025 and I.A.Nos.1 of 2025 &amp; 1 of 2026 in<br/>W.A.No.1235 of 2025 and I.A.No.2 of 2025 in<br/>W.A.Nos.1339, 1350, 1358 of 2025, I.A.No.2<br/>of 2026 in W.A.Nos.9 &amp; 13 of 2026 and<br/>I.A.Nos.2 of 2025 and 2 of 2026 in<br/>W.A.No.1318 of 2025.</u></b></p> <p>The core issue pending for consideration before us is whether the teaching faculty who are drawing UGC pay scales as fixed by the University Grants Commission are entitled for enhancement of the retirement age from 60 to 65 years in respect of the petitioners working in Andhra Pradesh Agriculture University, Andhra Pradesh Horticulture University, Andhra Pradesh Veterinary University and Andhra Pradesh Fisheries University.</p> <p style="text-align: center;">2. Heard both sides.</p> |             |

3. It is an admitted that earlier the retirement age of the teaching faculty working in these four (4) universities was enhanced from 60 to 62 years by issuing Government Order by the Higher Education Department of the State Government of Andhra Pradesh along with the teaching faculty in other State Universities. In the year 2023, the Higher Education Department issued another G.O., enhancing the retirement age of the teaching faculty who are under the UGC pay scales from 60 to 65 years. But this time, the same benefit was not extended to the professors working in these four (4) Universities though they are getting UGC pay scales.

4. It is an admitted fact that the Management of these four (4) Universities recommended to the Government to enhance the retirement age on par with the other Universities. But the Agriculture Department raised objection stating that the Government Order issued by the Higher Education Department is not applicable to the Universities working under the Agriculture, Horticulture, Veterinary and Fisheries Department and to extend the same benefit to these

|  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
|--|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  |  | <p>four (4) Universities, the State Government has to take the decision.</p> <p>5. It is an admitted fact that the Finance Department of the State Government also accorded permission to consider the recommendations made by these four (4) University administrations. But, for the reasons best known to the respondents, the recommendations made by these four (4) University administrations are rejected.</p> <p>6. Mr B.Rajsekhar, Ex-Officio Special Chief Secretary to Government (Agriculture and Cooperation, Animal Husbandry, Dairy Development and Fisheries Department, Government of Andhra Pradesh) who is personally present before this Court clarified that as per the decision of the competent authority, he issued proceedings <i>vide</i> Letter No.2175839/A&amp;C,AHDD&amp;F/2024, dated 15.02.2026 rejecting the recommendations made by these four (4) University administrations. He has also placed connected records before this Court for perusal.</p> <p>7. Having considered the clarifications submitted by the Ex-Officio, Special Chief Secretary</p> |  |
|--|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

present before this Court and on perusal of the record connected to this issue, it appears that without assigning any reasons, the recommendations of the University administrations and Finance Department are rejected. Besides this, this Court granted time to file counter affidavit by the State Government since 25.11.2025. But, no counter affidavit has been filed till date stating the State Government stand on this aspect.

8. Considering the facts and circumstances of the case, it appears that the competent authority did not consider the matter in proper perspective. Enhancing the retirement age to all other University faculty who are working under the UGC pay scales and not extending the same benefit to the teaching faculty working in these four (4) Universities appears to be discriminatory.

9. On perusal of the business rules placed before us by the learned counsel appearing for the petitioners it appears that all the Universities in the State will come under the administrative control of the Higher Education Department. As such, we cannot brush aside the contention of the learned counsel for

the petitioners that the Government order issued by the Higher Education Department is applicable to these four (4) Universities also.

10. No doubt, it is an accepted principle of law that the enhancement of the retirement age to the employees falls within the domain of the State Government like in the present case. But, that decision should be taken indiscriminately. Otherwise, it amounts to violation of Article 14 of the Constitution of India.

11. At present, in the absence of the counter affidavit by the State Government, we do not want to express any opinion on the merits of the issue.

12. Considering the fact that some of the professors working in these four(4) Universities are attaining the age of superannuation and at present there are no immediate steps taken by the Universities or State Government to fill these vacancies, the interest of the students studying in that universities has to be protected. Taking all these circumstances into consideration, in our *prima-facie* view, it is appropriate and reasonable to direct the respondents to continue the petitioners in service pending further orders.

13. Accordingly, there shall be an interim suspension of the Letter No.2175839/ A&C, AHDD &

F/2024, dated 15.02.2026 passed by the Ex-Officio Special Chief Secretary to Government, Agriculture and Cooperation, Animal Husbandry, Dairy Department and Fisheries Department, Government of Andhra Pradesh, pending further orders. Further, the respondents are directed to continue the petitioners in service pending further orders.

\_\_\_\_\_  
DEV, J

\_\_\_\_\_  
SS,J

**W.A.Nos. 1246, 1235, 1236, 1238, 1239,**  
**1240, 1318, 1339, 1350, 1358 of 2025,**  
**W.A.Nos.9, 13 of 2026.**

Mr Samba Siva Pratap, learned Additional Advocate General appearing for the State of Andhra Pradesh sought time to file counter on behalf of the State Government.

Post on 16.03.2026.

\_\_\_\_\_  
DEV, J

\_\_\_\_\_  
SS,J

TM

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|--|--|--|--|