



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3545]

WEDNESDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

I.A.No.2/2025

IN/AND

WRIT APPEAL NO: 1267/2025

Writ Appeal under clause 15 of the Letters Patent of Writ Appeal is being filed with leave petition by Dr. P. V. S. Kishore, Professor and Associate Dean, NTR CVSc, Gannavaram as he is a third party to the proceedings against the judgment passed in WP No. 23121 of 2025 dated 05.11.2025

Between:

- 1.DR P V S KISHORE, S/O P. A. KONDALA RAO, AGED ABOUT 62 YEARS, OCC.PROFESSOR CUM ASSOCIATE DEAN, NTR COLLEGE OF VETERINARY SCIENCE, GANNAVARAM, KRISHNA DISTRICT, ANDHRA PRADESH.

...APPELLANT

AND

- 1.R N RAMANI PUSHPA, D/O R. SAMBASIVA RAO AGED ABOUT 62 YEARS, OCC.PROFESSOR, DEPARTMENT OF VETERINARY MICROBIOLOGY, NTR COLLEGE OF VETERINARY SCIENCE, GANNAVARAM, KRISHNA DISTRICT, ANDHRA PRADESH.
- 2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY. HIGHER EDUCATION DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT,

3.THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, ANIMAL HUSBANDRY, DAIRY DEVELOPMENT AND FISHERIES DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.

4.SRI VENKATESWARA VETERINARY UNIVERSITY, , ADMINISTRATIVE OFFICE, DR YSR BHAVAN, TIRUPATI, TIRUPATI DISTRICT, ANDHRA PRADESH REP. BY ITS REGISTRAR (RESPONDENT NO. 1 IS NOT NECESSARY)

...RESPONDENT(S):

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to dispense with the filing of certified copy of the Order dt.05-11-2025 passed in W.P.No. 23121/2025 pending disposal of the Writ Appeal and pass

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant leave to the petitioner/ appellant herein to file the present writ appeal against the order of Ld. Single Judge passed in WP No. 23121/2025 & batch and pass

IA NO: 3 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit the petitioner/appellant to file the documents along with the writ appeal and pass

IA NO: 4 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to continue the petitioner/appellant in service till he attains the age of 65 years with all consequential benefits, pending disposal of the Writ Appeal and pass

Counsel for the Appellant:

1.KAVITHA GOTTIPATI

Counsel for the Respondent(S):

1.R CHANDRA REDDY

2.GP FOR SERVICES I

3.

The Court made the following:

**THE HON'BLE SRI JUSTICE BATTU DEVANAND
&
THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA**

**I.A.No.2 OF 2025
IN/AND
WRIT APPEAL No.1267 of 2025**

COMMON JUDGMENT: *(Per Hon'ble Sri Justice Battu Devanand)*

The writ appeal is filed against the order, dated 05.11.2025 passed by the learned single Judge in W.P.No.23121 of 2025. As the appellant is not the party in the said writ petition, he filed the present writ appeal along with I.A.No.2 of 2025 seeking leave of the Court to file the present writ appeal against the said order.

2. The case of the appellant is that he is a teaching faculty member of the 3rd respondent-University and is currently working as Associate Dean of the N.T.R. College of Veterinary Science, Gannavaram. As per Memo No.379817/Ser.I/2022, dated 30.10.2024 issued by the 3rd respondent-University, the appellant has to retire on 31.12.2025, though as per G.O.Ms.No.39, Higher Education (U.E.) Department, dated 29.07.2023, he is entitled to be in service up to 31.12.2028.

3. Learned counsel for the appellant contends that the appellant herein was not a party to the batch of writ petitions, but the issue adjudicated by the learned single Judge on the issue of applicability of G.O.Ms.No.39, Higher Education (U.E.) Department, dated 29.07.2023, is squarely applicable to the appellant. Therefore, the appellant has implied right to file appeal against such

declaration, since, by virtue of such declaration, the appellant will be forced to retire from his service pursuant to Memo No.379817/Ser.I/2022, dated 30.12.2024 issued by the 3rd respondent-University. Hence, the present appeal is being preferred against the order of the learned single Judge and to challenge the said order, he filed application seeking leave of the Court.

4. Having heard the submissions of the learned counsel for the appellant and on careful perusal of material available on record, it appears that the order impugned in the present appeal was passed in W.P.No.23121 of 2025 and batch. While considering the issue of extending the benefit of enhanced age of superannuation from 62 to 65 years to the Teachers of respondent-Veterinary University on par with the Teachers in Higher Education Universities as per G.O.Ms.No.39, Higher Education (U.E.) Department, dated 29.07.2023, the learned single Judge held that the same benefit is not applicable to the Teachers of Veterinary Universities. While disposing the said batch of writ petitions, the learned single Judge passed the following order:

“The State Government shall take a comprehensive decision on the extension of G.O.Ms.No.39, Higher Education (U.E.) Department, dated 29.07.2023 to the Universities under the administrative control of the Agriculture Department, as expeditiously as possible, preferably within a period of four (04) months from the date of receipt of a copy of this order.”

5. On relying the decision of the Apex Court, the learned single Judge opined that the issue of age of superannuation is the matter of policy of the

State and accordingly directing the State Government to take a comprehensive decision for extension of G.O.Ms.No.39, Higher Education (U.E.) Department, dated 29.07.2023 to the Universities under the administrative control of the Agriculture Department within the time stipulated in the said order. In fact, several teaching faculty working in the Veterinary Universities filed the said batch of writ petitions which were disposed of by the order under challenge in the present writ appeal. The original writ petitioners did not choose to challenge the same till date, but, the appellant, who is not the party to the said batch of writ petitions and who can be treated as “fencing sitter” preferred this appeal with a leave petition. If the appellant has any grievance against the Memo, dated 30.12.2024 issued by the 3rd respondent-University informed him to retire on 31.12.2025, he can approach this Court by filing appropriate writ petition seeking for the relief in favour of him, if so advised. But at present, we are not inclined to accept his request to grant leave to file writ appeal against the order, dated 05.11.2025 passed by the learned single Judge in W.P.No.23121 of 2025 and batch which were filed by some third parties. Therefore, there are no merits in I.A.No.2 of 2025 and as such it is liable to be dismissed.

6. For the aforesaid reasons, I.A.No.2 of 2025 is dismissed.

7. Consequential dismissal of I.A.No.2 of 2025, the Writ Appeal shall stand dismissed.

8. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE BATTU DEVANAND

JUSTICE A.HARI HARANADHA SARMA

Dated: 03.12.2025
PGR

**THE HON'BLE SRI JUSTICE BATTU DEVANAND
&
THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA**

**I.A.No.2 OF 2025
IN/AND
WRIT APPEAL No.1267 of 2025**

Dt. 03.12.2025

PGR