

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI**W.P.No. 420 of 2026****PROCEEDING SHEET**

SL NO	DATE	ORDER	OFFICE NOTE
1	07.1.26	<u>VN.J</u> The Writ Petition is filed questioning the action of the Respondents in not extending the benefit of enhancement of the age of superannuation on par with other Government Employees from 60 to 62 years as per G.O.Ms.No.15, dated 31.01.2022 issued by the Respondent No.1 as illegal and arbitrary. A Division Bench of this Court in Writ Appeal No. 649 of 2024 passed a detailed interim order in suspending the judgment passed on this aspect by the single Judge of this Court enhancing the age of superannuation. The Hon'ble Division Bench after referring to the Judgments of Hon'ble Supreme Court in <i>State of U.P. v. Dayanand Chakrawarty</i> (2013 (7) SCC 595) and <i>Harwindra Kumar v. Chief Engineer, Karmik</i> (2005 (13) SCC 300) apart from the provisions of A.P. Cooperative Societies Act. The paragraph No.9 and 10 are extracted below: “ 9. In that view of the matter, the order impugned appear to be in the teeth of provisions of Section 115-D of the Act. That apart, a co-ordinate Bench of this Court while dealing with a similar issue has been pleased to hold that in the light of the law laid down in <i>State of</i>	

		U.P. v. Dayanand Chakrawarty: [(2013) 7 SCC 595] and Harwindra Kumar v. Chief Engineer, Karmik: [(2005) 13 SCC 300], in the event of independent bodies unless and until appropriate amendments are brought into the bye-laws/rules/regulations, the changes in service conditions brought about by any Government Order etc., will not automatically apply and that such automatic application would be depended on the bye-laws/ regulations governing the entities. 10. In that view of the matter, this Interlocutory Application is allowed and the operation of the order impugned stands suspended pending disposal of the main writ appeal.” In that view, it would be appropriate for this Court to list this matter along with W.A.No.649 of 2024. _____ VN,J eha	
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