

HIGH COURT OF ANDHRA PRADESH : AT AMARAVATI

MAIN CASE No: W.P.No.15460 OF 2022

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
1.	26.05.2022	<p><u>Dr. KMR, J</u></p> <p>Heard the learned counsel for the petitioner.</p> <p>The learned Standing Counsel takes notice for the respondents No.2 to 4.</p> <p>The learned Government Pleader for Panchayat Raj takes notice for the respondent No.1.</p> <p>The counsel for the petitioner submits that the petitioner is working as Attender in the office of the 4th respondent and the 2nd respondent is the Nodel Agency under District Rural Development Agency. The counsel for the petitioner refers to the G.O.Ms.No.135 dated 08.03.1991 of Government of Andhra Pradesh which deals with the service conditions of the direct recruitment methods of District Rural Agency employees as Model Service Regulations. Under the said Regulations at Para 12 <i>“the age of Superannuation is dealt with according to the said Regulations. The employees of the Agency shall retire on attaining the age of superannuation as per the provisions applicable to the Government employees of similar categories from time to time”</i>.</p> <p>The counsel for the petitioner submits that the Government of Andhra Pradesh issued G.O.Ms.No.15 dated 31.01.2022 wherein the Government employees Superannuation age was increased from ‘60’ years to ‘62’ years with effect from 01.01.2022. The counsel for the petitioner</p>	

		<p>submits that as per the Regulations of the respondent Agency, the said G.O. would apply automatically in case of the employees who are working under this Agency in Rural Development. But earlier also when the Superannuation age of State Government Employees was increased from '58' years to '60' years, when it was not extended to the employees of this Agency, one of the employees filed the writ petition before the erstwhile High Court of Andhra Pradesh in W.P.No.21304 of 2017 and Contempt Case No.1825 of 2017, vide common order dated 03.04.2018 the said writ petition was allowed directing the respondent – Agency to continue the petitioner therein up to 60 years of attainment of age of Superannuation. However, be that as it may, as the service regulation of the Agency indicates that the Government rules and conditions would apply, the same benefit should be given in the case of the petitioner also.</p> <p>Accordingly, the petitioner shall be continued up to the age of Superannuation of '62' years if otherwise entitled as per law pending further orders in this writ petition.</p> <p>The respondents shall file their counter.</p> <p>Post after Summer Vacation, 2022.</p> <p style="text-align: right;">Dr. KMR,J BSM</p>	
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