

**HIGH COURT OF ANDHRA PRADESH :: AMARAVATI****MAIN CASE No: W.P.No. 21514 OF 2022****PROCEEDING SHEET**

<b>SL. NO.</b>	<b><u>DATE</u></b>	<b><u>ORDER</u></b>	<b><u>OFFICE NOTE</u></b>
01.	21.07.2022	<p><b><u>KVL, J</u></b></p> <p>Notice before admission.</p> <p>Learned Government Pleader for Education takes notice for Respondent Nos.1 and 2.</p> <p>Sri P.S.P. Suresh Kumar, learned Standing Counsel takes notice for Respondent No.3.</p> <p>Learned counsel for the petitioner is permitted to take out notices to Respondent Nos.4 to 6 through RPAD and file proof of service into Registry.</p> <p>The case of the petitioner is that he was appointed as Driver in the 4<sup>th</sup> respondent-College and the 5<sup>th</sup> respondent on an earlier occasion through proceedings dated 01.05.2020 sought to retire the petitioner on attaining the age of 58 years, challenging the same, the petitioner filed Writ Petition in W.P.No.11634 of 2020, wherein an interim direction was granted to continue the petitioner till he attains the age of 60 years i.e., 30.07.2022; the said Writ Petition is still pending; Government issued G.O.Ms.No.15, Finance (HR.IV-FR&amp;LR) Department, dated 31.01.2022, wherein an A.P. Ordinance No.1 of 2022 amending Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 was issued increasing the age of superannuation of from 60 years to 62 years to all the State Government employees under Andhra Pradesh</p>	

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		<p>Public Employment (Regulation of Age of Superannuation) Act, 1984; but, the 5<sup>th</sup> respondent without giving the said benefit to the petitioner, orally informed him not to come to the College from 30.07.2022. Hence, the Writ Petition.</p> <p>In similar facts and circumstances, in W.P.No.17885 of 2022, this Court passed the following Order:</p> <p>“As seen from the order in WP No.8683 of 2020, dated 07.08.2020, the common order passed in WP Nos.6916 and 7266 of 2019, dated 13.09.2019, was followed. The said W.P.Nos.6916 and 7266 of 2019 were allowed directing continuation of the petitioners therein in service upto the age of 60 years. As seen from the record, even though Writ Appeals were filed, the order passed in WP Nos.6916 and 7266 of 2019 were complied with and even as seen from the affidavit filed in support of the Writ Petition, the orders passed in WP No.8683 of 2020 were complied with.</p> <p>In view of the facts and circumstances, as the petitioner has shown <i>prima facie</i> case for grant of interim direction, the respondents are directed to continue the petitioner in service till he attains the age of 62 years.”</p> <p>In view of the facts and circumstances, as the petitioner has <i>prima facie</i> case for grant of interim direction, the respondents are directed to continue the petitioner in service till he attains the age of 62 years.</p> <p>List the matter on 15.09.2022.</p> <p style="text-align: right;"><b>KVL, J</b></p> <p>Ks</p>	