



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

[3331]

MONDAY ,THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

**WRIT PETITION NOS: 30476, 28755, 28767, 28768, 28769, 28770, 28771,
28772, 28784, 28785, 30569, 30599, 30603, 30606, 30731, 30741, 30742,
30743, 30744, 30745, 30787, 30822, 30920, 30927, 31438 of 2024**

WRIT PETITION NO: 30476/2024

Between:

C Srinivasulu and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. GP FOR SERVICES I

3.

WRIT PETITION NO: 28755/2024

Between:

P Chalapathi and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. PEETA RAMAN

Counsel for the Respondent(S):

- 1.VENKATA RAMA RAO KOTA SC FOR APSPDCL
- 2.GP FOR SERVICES I
- 3.
- 4.V V SATISH

WRIT PETITION NO: 28767/2024

Between:

K Eswar Reddy and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

- 1.PEETA RAMAN

Counsel for the Respondent(S):

- 1.VENKATA RAMA RAO KOTA SC FOR APSPDCL
- 2.GP FOR SERVICES I
- 3.

WRIT PETITION NO: 28768/2024

Between:

Valluri Narasimha Murthy and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

- 1.PEETA RAMAN

Counsel for the Respondent(S):

- 1.VENKATA RAMA RAO KOTA SC FOR APSPDCL
- 2.GP FOR SERVICES I
- 3.
- 4.V V SATISH

WRIT PETITION NO: 28769/2024

Between:

Basavamal Reddy Busi Reddy and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. GP FOR SERVICES I

3. GP FOR SERVICES II

4.

WRIT PETITION NO: 28770 / 2024

Between:

S Venkata Rao and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. GP FOR SERVICES I

3. GP FOR SERVICES II

4.

5. V V SATISH

WRIT PETITION NO: 28771 / 2024

Between:

Yaramati Trimurthulu and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. GP FOR SERVICES I

3.

4. V V SATISH

5. GP FOR FINANCE PLANNING

WRIT PETITION NO: 28772 / 2024

Between:

S P S Ramakrishna

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. GP FOR SERVICES I

3.

4. V V SATISH

WRIT PETITION NO: 28784 / 2024

Between:

K Rajagopal Reddy and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. GP FOR SERVICES I

3.

WRIT PETITION NO: 28785/2024

Between:

T Murali and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. PEETA RAMAN

Counsel for the Respondent(S):

1. GP FOR SERVICES I

2.

WRIT PETITION NO: 30569/2024

Between:

Dangeti Srinivasa Rajendra Phani Kumar

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. GP FOR SERVICES I

3.

WRIT PETITION NO: 30599/2024

Between:

Tarigonda Ravindara and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2.GP FOR SERVICES I

3.

WRIT PETITION NO: 30603/2024

Between:

Nettem Venkatappa

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.PEETA RAMAN

Counsel for the Respondent(S):

1.VENKATA RAMA RAO KOTA SC FOR APSPDCL

2.GP FOR SERVICES I

3.

WRIT PETITION NO: 30606/2024

Between:

Vadde Nagaraju and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1.PEETA RAMAN

Counsel for the Respondent(S):

1.VENKATA RAMA RAO KOTA SC FOR APSPDCL

2.GP FOR SERVICES I

3.

WRIT PETITION NO: 30731/2024

Between:

C Neelavathi and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. GP FOR SERVICES I

3.

WRIT PETITION NO: 30741/2024

Between:

Kapu Saraswathamma and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. Nagaraju Naguru, Standing Counsel For APGENCO

3. GP FOR SERVICES I

4.

WRIT PETITION NO: 30742/2024

Between:

T Alivelamma

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. Nagaraju Naguru, Standing Counsel For APGENCO

3. GP FOR SERVICES I

4.

WRIT PETITION NO: 30743/2024

Between:

Pola Lakshmi Devi

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. GP FOR SERVICES I

3.

WRIT PETITION NO: 30744/2024

Between:

B. Vimalamma

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. Nagaraju Naguru, Standing Counsel For APGENCO

3. GP FOR SERVICES I

4.

WRIT PETITION NO: 30745/2024

Between:

Gowri Vardhan Chetty

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. PEETA RAMAN

Counsel for the Respondent(S):

- 1.VENKATA RAMA RAO KOTA SC FOR APSPDCL
- 2.GP FOR SERVICES I
- 3.

WRIT PETITION NO: 30787/2024

Between:

C Madhavi Latha

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

- 1.PEETA RAMAN

Counsel for the Respondent(S):

- 1.VENKATA RAMA RAO KOTA SC FOR APSPDCL
- 2.GP FOR SERVICES I
- 3.

WRIT PETITION NO: 30822/2024

Between:

Gorla Adinarayana Reddy

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

- 1.PEETA RAMAN

Counsel for the Respondent(S):

- 1.VENKATA RAMA RAO KOTA SC FOR APSPDCL
- 2.GP FOR SERVICES I
- 3.

WRIT PETITION NO: 30920/2024

Between:

H Ramakrishnappa and Others

...PETITIONER(S)

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. GP FOR SERVICES I

3.

WRIT PETITION NO: 30927/2024

Between:

B Ravindra Babu

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. PEETA RAMAN

Counsel for the Respondent(S):

1. VENKATA RAMA RAO KOTA SC FOR APSPDCL

2. GP FOR SERVICES I

3.

WRIT PETITION NO: 31438/2024

Between:

Puranapu Nagaveni @ N Nagaveni

...PETITIONER

AND

The Union Of India and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. PEETA RAMAN

Counsel for the Respondent(S):

1. THENEPALLI NIRANJAN SC FOR CENTRAL. GOVT

2. VENKATA RAMA RAO KOTA SC FOR APSPDCL

3. GP FOR SERVICES I

The Court made the following common order:

The above writ petitions are filed to declare the action of respondents in not extending the old pensionary scheme benefits i.e. GPF to the petitioners who were appointed in 2002, by giving retrospective effect to T.O.O. (GM(IR)-PER) Ms.No.114 dated 23.07.2003 of respondent No.6 and C.O.O. (CGM(IR) Ms.No.266 dated 12.08.2003 of the then APCPDCL, as illegal and arbitrary and consequently direct the respondents to extend the said benefit to the petitioners.

2. Heard Sri Peeta Raman, learned counsel for the petitioners; Sri S. Raju, learned Assistant Government Pleader for Services-I, Sri V.V. Satish, learned standing counsel for AP TRANSCO and APEPDCL; Sri K. Venkata Rama Rao, learned standing counsel for APSPDCL; Sri Nagaraju Naguru, learned standing counsel for AP GENCO and Sri T. Niranjana, learned standing counsel for Union of India.

3. Learned counsel for the petitioners contended that W.P.Nos.31438, 30743, 30744, 30745, 30787, 30744 and 30742 of 2024 are filed by the respective wives of the employees who expired, either after retirement or while in service.

4. Learned counsel for the petitioners contended that the authority, without considering the fact, that the petitioners were subjected to an interview process in pursuance to the notification r/w. B.P. (P & G Per) Ms.No.36 dated 18.05.1997, denied extending old pensionary benefits on par with the employees appointed in 1998. Thus, he would contend that the respondent-authority is treating, the same class of employees, differently *qua* the pensionary benefits.

5. Learned counsel for the petitioners further contended that Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Pension and Pensioners' Welfare, by proceedings in 57/05/2021-P & PW

(B), dated 03.03.2023, decided that in all cases where the Central Government civil employee has been appointed against a post or vacancy which was advertised/notified for recruitment/appointment before the date of notification for National Pension System i.e. 22.12.2003 and is covered under the National Pension System on joining service on or after 01.01.2004 by giving a one-time option to be covered under the CCS (Pension) Rules, 1972 (now 2021). The said option is to be exercised by the concerned Government servants by 31.08.2023.

6. Learned counsel further contended that in pursuance of the said proceedings dated 03.03.2023, issued by the Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Pension and Pensioners' Welfare, the Additional Secretary to Government, Government of Andhra Pradesh, Finance Department (HR.III-Pension, GPR) Department, issued/circulated U.O. Note No.1273065/FIN01-HR0MISC/87/2020-HR-III, dated 03.01.2024, directing all the Secretariat Departments to furnish the consolidated information HoD wise and post-wise break-up in a tabular format regarding the employees who were recruited against the posts/vacancies advertised/notified or recruitment on or before 01.09.2004, in addition to the information given as per 1.0.M.No.57/04/2019-P&PW(B), GoI, DoP& PW, New Delhi, dated 17.02.2020, to take a policy decision. Thereafter the Chairman and Managing Director, APSPDCL submitted the list of employees to the Special Chief Secretary to Government, Energy Department, A.P. Secretariat, *vide* Lr.No.CMD/CGM (HRD) / GM (HR-II) / DGM (Pension)/PO(Pension) /JPO/D.No.401/24, dated 18.07.2024. He would submit that despite the list submitted by the Chairman and Managing Director, APSPDCL, respondents 3 and 5 have not taken action/decision so far, regarding the extension of GPF pension benefits i.e. old pensionary benefits.

7. Learned Assistant Government Pleader for Services as well as learned standing counsel appearing for the respective respondents submitted that the Chairman and Managing Directors of the respective DISCOMs submitted

information to the Special Chief Secretary to Government, Energy Department, about the employees, recruited/appointed against the sanctioned vacant posts/vacancies advertised/notified for recruitment on or before 01.09.2004.

8. As seen from Lr.No.CMD/CGM (HRD) / GM (HR-II) / DGM (Pension)/PO(Pension)/JPO/D.No.401/24, dated 18.07.2024 and Lr.No.HRD/IR/Pensions/EPCOR-06002(73)/1/2023-MPS-2 COR / E-435764/ I.No.563427/24 dated 18.12.2024, the Chairman and Managing Directors of the respective DISCOMs submitted information to the Special Chief Secretary to the Government, Energy Department, to decide on the extension of pensionary scheme benefit to the employees, who joined after 01.02.1999 and before 01.09.2004. However, no decision has been taken so far.

9. Given the facts and circumstances of the case, without touching the merits of the matter, the Writ Petitions are disposed of at the admission stage, with the consent of learned counsel on either side, directing learned respondents 3 and 5 to take appropriate decision in pursuance of Lr.No.CMD / CGM (HRD)/GM(HR-II)/DGM (Pension)/PO(Pension) /JPO/ D.No.401/24, dated 18.07.2024, regarding the extension of pensionary scheme benefit i.e. GPF to the petitioners, strictly as per the Rules, as expeditiously as possible, within three months from receipt of a copy of the order, in respect of the petitioner herein.

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

JUSTICE SUBBA REDDY SATTI

Date: 20.01.2025
IKN

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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NOs: 30476, 28755, 28767, 28768, 28769, 28770, 28771, 28772, 28784, 28785, 30569, 30599, 30603, 30606, 30731, 30741, 30742, 30743, 30744, 30745, 30787, 30822, 30920, 30927, 31438 of 2024

Date: 20.01.2025

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