

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO
AND
THE HON'BLE MRS. JUSTICE ANIS
WRIT PETITION No. 22883 OF 2015

ORDER: *(per Hon'ble Sri Justice Nooty Ramamohana Rao)*

Heard learned Government Pleader for Services-I and Sri P.V. Ramana, learned counsel on caveat, for the contesting respondents.

In view of the order, which we have now proposed to pass, it would be unnecessary for us to record all the facts in great detail. Suffice it to notice that the contesting respondents, who are applicants before the Andhra Pradesh Administrative Tribunal in O.A.No. 6976 of 2014, are employees of the Agricultural Market Committees. Their plea is that they are entitled to be retained in service up to the age of 60 years as the age of superannuation of public servants has been enhanced to 60 years by a statutory amendment and it is their plea that they answer the description of a 'public servant', in accordance with and in terms of the statute. The Andhra Pradesh Administrative Tribunal, by an interlocutory order, passed a direction to continue them in service.

Sri P.V. Ramana, learned counsel would assert that the unofficial respondents are continued in service as of now and that they have not been retired. He also made a serious grievance in the petitioners herein rushing to this Court and instituting this Writ Petition, without effectively pursuing the vacate stay petition filed by them before the Tribunal. The learned Government Pleader would submit that the Tribunal is not taking up the vacate stay petitions unless the interlocutory orders are first complied with and hence, there is no alternative except to move this Court.

We are sure that the Tribunal would deal with the vacate stay petition that is brought before it very objectively uninfluenced by any other irrelevant factors. In view of the pendency of V.M.A. No. 588 of 2015, the *status quo* existing as of now insofar as the unofficial respondents be continued and we hope and trust that the Tribunal will

endeavour to dispose of V.M.A.No. 588 of 2015 preferably within a period of one month from the date of receipt of a copy of this order.

With this, the Writ Petition stands disposed of. No costs.

Consequently, the miscellaneous applications, if any shall stand disposed of.

NOOTY RAMAMOHANA RAO, J

ANIS, J

23rd July 2015

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