

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.8796 OF 2006

ORDER:

The petitioners pray for the following relief:

".. to issue a writ order or direction; more particularly, one in the nature of writ of mandamus by:

A) Declaring that the petitioners being fully eligible and qualified to be appointed as Assistant Professor (Chemistry) in pursuance to the Advertisement No.1/2006 dated 31.3.2006; issued by the Osmania University Hyderabad are entitled to be granted relaxation of upper age limit

B) And also declare that the action of the respondent University in not relaxing the upper age criterion in respect of Lecturers working in affiliated unaided and Self-Finance Post Graduate Centres as illegal, and violative of Articles 14 &16 of the constitution of India;

C) Declare the action of the respondents in not permitting the petitioners to respond to the Advertisement No.1/2006 dated 31.3.2006 on the ground that the petitioners have crossed the upper age limit of 35 years as arbitrary, illegal, and violative of Articles 14 &16 of the constitution of India;

D) Direct the respondents to relax the upper age limit in respect of the petitioners who are working in affiliated post Graduate Centers of Osmania University on par with the other teachers and writ petitioners in WP.No.8664 of 1998;

E). Direct the respondents to permit the petitioners to participate in the regular selections for the post of Assistant Professor (Chemistry) in pursuance to the advertisement No.1/2006 dated 31.3.2006 and upon such consideration if the petitioners are selected direct the respondent Osmania University to appoint the petitioners as Assistant Professor (Chemistry) in pursuance to the Advertisement No.1/2006 dated 31.3.2006.."

On 27.04.2007, this Court granted the following direction to respondents.

"Sri Nuty Rama Mohan Rao, learned counsel for the petitioner, would point out clause (d) of Note II of the Notification, whereunder relaxation to the extent of five years has been granted to teachers who have put in at least five years of regular service in any of the aided and Government Degree Colleges affiliated to Osmania University. Learned counsel would submit that there is no rationale in giving this concession in age to lecturers working in aided colleges and in denying the same benefit to lecturers in unaided colleges.

This question did not arise for consideration before this Court in W.P.No.8664 of 1998 and batch and is required to be decided in this writ petition. As such, there shall be an interim direction to respondents to grant relaxation to the extent of five years to such of those lecturers, who have put in at least five years of regular service in any unaided college affiliated to the Osmania University pending further orders, and consider their cases for appointment to the post of Assistant Professor/lecturer in the interview to be held in May, 2006 or thereafter against advertisement No.1/2006."

From the interim direction dated 27.04.2006, it appears the grievance of petitioners is substantially worked out. The interim order is made as final order and the writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S.V.BHATT, J

Date:11.08.2016

Stp