

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE MS. JUSTICE J.UMA DEVI

WRIT PETITION Nos. 19707, 21141, 21669 and 21468 of 2017

COMMON ORDER:

(Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

Heard Sri C. Srinivasa Baba, Sri. Govinda Rajulu and Sri P. Ravi Kiran, learned counsel for the petitioners and the learned Advocate General for the State of Andhra Pradesh appearing on behalf of the respondents-Corporation and, with their consent, all these writ petitions are disposed of at the stage of admission.

The petitioners herein seek a mandamus to declare the action of the respondents in retiring them from service on completing the age of 58 years which they claim is contrary to the order of the Supreme Court in SLP Nos. 14033-14034 of 2017 dated 5.5.2017. The order of the Supreme Court, on which the petitioners place reliance upon, is an order passed in the SLP filed by employees of the Andhra Pradesh State Tribal Welfare Residential Educational Institutions Society (Gurukulam). The Government of Andhra Pradesh had enhanced the age of superannuation, of teaching and non-teaching employees of Government Schools, by legislation from 58 years to 60 years. The Andhra Pradesh Education Act was amended to make the enhanced age of 60 years applicable even to employees of Aided Schools and Colleges. It is only employees of the Andhra Pradesh State Tribal Welfare Residential Educational Institutions Society (Gurukulam) who were denied the benefit of extension of the age of superannuation upto

60 years and, pursuant to the order of the Supreme Court, they are being continued in service till they attain the age of 60 years. Unlike employees of the aforesaid educational society, the case of the petitioners, in this batch of writ petitions, stands on a different footing. All of them are employees of the Andhra Pradesh State Road Transport Corporation (APSRTC) which is a statutory Public Sector Undertaking under the State Road Transport Corporation Act, 1950. The services of employees of the APSRTC are governed by statutory Rules and Regulations made by the Board of Directors of the APSRTC in exercise of the powers conferred on them under the Act.

While it is no doubt true that this Court, in a batch of writ petitions in W.P.No.18205 of 2014 and batch dated 7.3.2017, had directed the respondents to take an appropriate decision, on enhancing the age of superannuation of its employees, within a specified time frame, it is wholly unnecessary for us to dwell on this aspect, as the learned Advocate General for the State of Andhra Pradesh, appearing on behalf of the respondent-Corporation, would submit that the respondent-Corporation would take a decision on whether or not to amend its statutory Regulations, for enhancing the age of superannuation from 58 to 60 years, within three months from today; and further action, regarding continuation or otherwise of its employees upto the age of 60 years, would be taken pursuant to the decision of the Board of Directors of the respondent-Corporation in this regard.

Suffice it, therefore, to record the submission of the learned Advocate General for the State of Andhra Pradesh, that the Board of Directors of APSRTC would take an appropriate decision regarding enhancing the age of superannuation of its employees from 58 years to 60 years, within three months from today and, accordingly, direct the respondent-Corporation to take a decision, regarding enhancing the age of superannuation of its employees from 58 to 60 years, within three months from today; and thereafter implement its decision.

All the writ petitions are, accordingly, disposed of. Miscellaneous Petitions, if any pending, shall also stand closed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(J.UMA DEVI, J)

22.08.2017

NB:

CC of order be furnished in one week.

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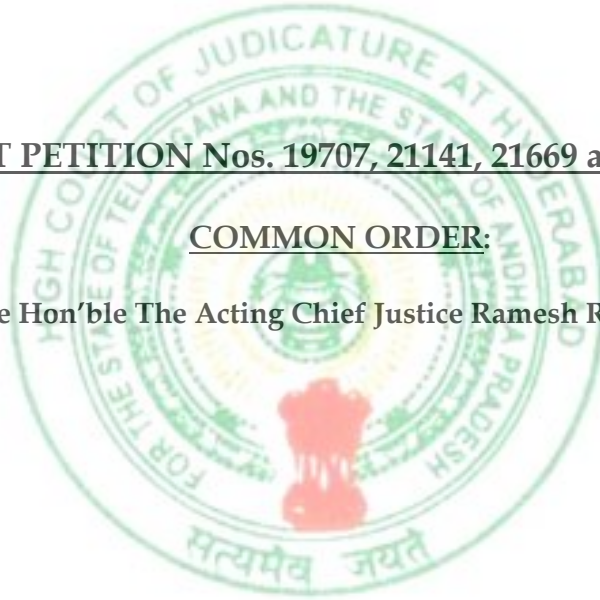
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Dt. 22.08.2017