

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE MS JUSTICE J.UMA DEVI

WRIT PETITION NOS.26747 AND 26867 OF 2017

COMMON ORDER: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

The relief sought for in both these writ Petitions is for a mandamus to declare the action of the respondents in issuing G.O.Ms.No.102 dated 27.06.2017, and the consequential proceedings dated 30.06.2017 giving prospective effect to the said G.O. from 30.06.2017, as arbitrary and illegal. A consequential direction is sought to set aside G.O.Ms.No.102 dated 27.06.2017, and to give retrospective effect to it in accordance with the provisions of Act No.4 dated 27.06.2014.

It is wholly unnecessary for us to dwell on whether or not this Court, in exercise of its powers of judicial review under Article 226 of the Constitution of India, can give retrospective effect to G.O.Ms.No.102 dated 27.06.2017 in as much as the Government of Andhra Pradesh has thereafter issued G.O.Ms.No.138 dated 08.08.2017 amending G.O.Ms.No.102 dated 27.06.2017 holding that the said order shall come into force with effect from 02.06.2014. The said G.O. further records that, in furtherance of the amended clause, the Government had ordered that employees working in Companies/Corporations/Societies, included in the Schedules IX and X of the Andhra Pradesh State Reorganisation Act, 2014, shall not be superannuated only on the ground of attainment of 58 years of age; and, in case such an employee was superannuated on that ground, he/she shall be reinstated and continued up to 60 years.

While Smt. M.Shalini, learned counsel for the petitioners, expresses apprehension that the respondents may not implement G.O.Ms.No.138 dated 08.08.2017, Sri M.Ravindra, learned Standing Counsel for the Andhra Pradesh Eastern Power Distribution Company Limited, on instructions, states that the said G.O. would be implemented by the respondent-Corporation.

Suffice it to record the submission of the learned Standing Counsel that G.O.Ms.No.138 dated 08.08.2017 would be implemented. Both the Writ Petitions are, accordingly, closed. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(RAMESH RANGANATHAN, ACJ)

(J.UMA DEVI, J)

17th August 2017
RRB

