

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.11884 OF 2015

ORDER

This writ petition is filed for the following relief;

“...to issue Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents directing the petitioner to retire on attaining the age of superannuation at 58 years by 30th April, 2015 instead of 60 years, contrary to the provisions of A.P.Public Employment (Regulation of Age of Superannuation) (Amendment) Act, 2014 (Act 4 of 2014) as highly illegal and arbitrary, capricious, discriminatory and violative of Article 14 of the Constitution of India and against the service rules of A.P. Pollution Control Board and not only opposed to principles of natural justice but also to legitimate expectation and consequently to direct the respondents to allow me to continue in service till attaining the age of 60 years while setting aside the E-Mail dated 11th February, 2015 issued by the Sr. Administrative Manager, APPCB and pass such other order or orders as deemed fit and proper in the circumstances of the case.” (reproduced verbatim)

Heard Sri Subrahmanyam Kurella, learned counsel appearing for the petitioner, and Sri G.Ramachandra Rao, learned Standing Counsel for A.P. Pollution Control Board appearing for respondents 2 and 3.

When the matter is taken up for hearing, learned Standing Counsel appearing for the A.P. Pollution Control Board submits that the age of superannuation in respect of the

employees has been enhanced up to 60 years, however, the petitioner was not continued on the ground that this Court suspended the internal communication dated 11.2.2015 only and not granted direction to continue him in service. The Board relieved the petitioner from service on 30.04.2015 on attaining the age of superannuation.

Consequent upon the decision taken by the respondent-A.P. Pollution Control Board, to enhance the age of superannuation upto 60 years uniformly to all the employees, the petitioner is entitled to the consequential benefits.

In view of the same, the Writ Petition is disposed of directing the respondent-A.P. Pollution Control Board to grant consequential benefits to the petitioner within a period of three months from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

25th April, 2018
rkk

