APHC010654092023

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:- 8 to 8.3 [3584]

WRIT PETITION NO: 33624 of 2023 along with WP.Nos.12548, 12555 & 13386 of 2024

1. **WP.No.33624 of 2023:**

Malli Venkateswar Rao ...Petitioner

Vs.

A P Forest Development Corporation Limited and Others ...Respondents

2. **W.P.No.12548 of 2024:**

V R V P Murthy Raju ...Petitioner

Vs.

The State of Andhra Pradesh and Others ...Respondents

3. **W.P.No.12555 of 2024:**

M Padma ...Petitioner

Vs.

The AP Industrial Development Corporation Ltd and others ...Respondents

4. **WP.No.13386 of 2024:**

K.V.V. Satyanarayana Murty ...Petitioner

Vs.

The State of Andhra Pradesh and Others ...Respondents

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CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 8th October, 2026

Present :

Advocate for Petitioner(s)	:	Mr S Karunakar representing Mr P V Krishnaiah – WP.Nos.33624 of 2023 & 12555 of 2024. Mr Tagore Yadav Yaragorla – WP.Nso.12548 & 13386 of 2024.
Advocate(s) for Respondent(s):		Mr M Delhi Babu, Government Pleader attached to Office of Addl., Advocate General for State, Mr O Udaya Kumar for R.1 in WP.No.12555 of 2024

LISA GILL, CJ:

Prayer in these writ petitions is for declaring Section 1(2)(i) of A.P Public Employment (Regulation of Age of Superannuation) Act, 1984 insofar as it relates to not applying/not extending enhanced age of superannuation under Section 3 of said Act to petitioner(s)/employees working in respondent Corporation as unconstitutional.

2. On 30.07.2026, learned Additional Advocate General submitted that G.O.Ms.No.45, Finance (HR.IV-FR&LR) Department, dated 02.07.2026 has been issued whereby it has been decided to extend benefit of

enhancement of age of superannuation from 60 to 62 years as extended to State Government Employees to regular employees of PSUs, Corporations and Societies included under Schedules IX and X of A.P. Reorganization Act, 2014. However, learned counsel for petitioner in W.P.No.12548 of 2024 pointed that petitioner therein completed age of 62 years during pendency of said writ petition; there is no interim order in his favour; nonetheless, G.O.Ms.No.45 dated 02.07.2026 does not clarify as to whether said petitioner would be entitled to consideration of this period of two years for calculation of his retiral benefits even on notional basis.

3. Today, learned counsel for respondent State refers to communication dated 08.09.2026 from Principal Secretary to Government, Finance Department, which reads as under:

> **"The attention of the learned Additional Advocate General, Andhra Pradesh High Court, Amaravati is invited to the reference 2nd cited wherein a letter was addressed to the Finance Department for clarification/written instructions with regard to the cases mentioned in the reference 1st cited.**
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> **2. Para 5 of the G.O.Ms.No.45, Finance (HR-IV, FR&LR) Department, Dt.02.07.2026 provides that out of employment period will be considered as notional period of service.**

3. In view of the retrospective effect of the orders w.e.f 1.1.2022, it is clarified that the employees who had already completed 62 years of age as on the date of issuance of the G.O.Ms.No.45, Finance (HR-IV, FR&LR) Department are entitled to the grant of Annual Grade Increments on notional basis."

4. In view of the above, learned counsel for petitioners fairly state that cause of action as such does not subsist, proceedings may thus be closed.

5. Ordered accordingly. No costs.

Pending application(s) if any stand(s) disposed of accordingly.

Photocopy of this order be placed on the files of aforementioned connected cases.

LISA GILL, CJ

CHALLA GUNARANJAN, J

Vjl

Whether the order is Speaking/Reasoned : Yes / No

Whether the order is Reportable : Yes / No