

IN THE SUPREME COURT OF INDIA  
 CIVIL APPELLATE/ORIGINAL JURISDICTION  
CIVIL APPEAL NO(S). 9700-9701 of 2013

|   |               |
|---|---------------|
| HON'BLE HIGH COURT OF A.P.THR.REGISTRAR           | Appellant(s)  |
| VERSUS  |               |
| K. VEERA CHARY & ANR. ETC.                        | Respondent(s) |
| WITH  |               |
| <u>C.A. No. 9702 of 2013</u>                      |               |
| HON'BLE HIGH COURT OF A.P.THR.REGISTRAR           | Appellant(s)  |
| VERSUS  |               |
| M. RAMA MURTHY VARMA AND ANR.                     | Respondent(s) |
| <u>C.A. No(s).9708-9709/2013</u>                  |               |
| GOVT. OF ANDHRA PRADESH                           | Appellant(s)  |
| VERSUS  |               |
| K. VEERACHARY & ANR. ETC.                         | Respondent(s) |
| <u>C.A. NO. 9707/2013</u>                         |               |
| ASHOK PISSAY                                      | Appellant(s)  |
| VERSUS  |               |
| HIGH COURT OF A. P. REP. THR. REGISTRAR AND ANR.  | Respondent(s) |
| <u>C.A. No. 4505/2015</u>                         |               |
| V.T. REGHUNATH                                    | Appellant(s)  |
| VERSUS  |               |
| STATE OF KERALA AND ORS.                          | Respondent(s) |
| <u>C.A. No. 4507/2015</u>                         |               |
| A.A. VIJAYAN                                      | Appellant(s)  |
| VERSUS  |               |
| HIGH COURT OF KERALA REP. THR. REGISTRAR AND ANR. | Respondent(s) |

T.P. (C) No. 447/2017

C. KRISHNAN

Petitioner(s)

VERSUS

HIGH COURT OF KERALA REP. THR. REGISTRAR AND ANR.

Respondent(s)

O R D E R

CIVIL APPEAL NO(S).9700-9701 OF 2013:

We have gone through the impugned order and also heard learned counsel for the parties.

We are satisfied that there is no basis for declaring the first proviso to Section 3(1A) of Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 as amended by A.P.Act No.42 of 2006 to be void. The said provisions are held to be *intra vires*.

The orders of compulsory retirement of the respondents did not call for any interference and the same are restored. If the respondents have received any monetary benefit, the same would not be recovered back from them. Whatever is the remaining entitlement of the respondents may also be worked out in accordance with law in view of this order.

The appeals are accordingly disposed of.

C.A.No(s).9702 of 2013 & C.A.No(s).9708-9709 of 2013:

These appeals are disposed of in terms of the order passed in C.A. No(s).9700-9701 of 2013.

C.A.No.9707 of 2013:

We have heard learned counsel for the parties and perused the record.

We do not find any ground to interfere with the impugned order.

The appeal is accordingly dismissed.

C.A. NO.4505 of 2015 & C.A.No.4507 of 2015:

We have heard learned counsel for the parties and perused the record.

We do not find any ground to interfere with the impugned order.

The appeals are accordingly dismissed.

T.P. (C)No.447 of 2017:

The transfer petition is dismissed as withdrawn.

.....J.  
(ADARSH KUMAR GOEL)

.....J.  
(UDAY UMESH LALIT)

New Delhi,  
November 29, 2017.

ITEM NO.103

COURT NO.11

SECTION XII-A

S U P R E M E C O U R T O F I N D I A  
 RECORD OF PROCEEDINGS  
Civil Appeal No(s). 9700-9701 OF 2013

HON'BLE HIGH COURT OF A.P.TR.REGR.

Appellant(s)

VERSUS

K.VEERA CHARY &amp; ANR. ETC.

Respondent(s)

WITH C.A. No. 9702/2013 (XII-A)  
 C.A. No(s).9708-9709/2013 (XII-A)  
 C.A. NO. 9707/2013 (XII-A)  
 C.A. No. 4505/2015 (XI -A)  
 C.A. No. 4507/2015 (XI -A)  
 T.P.(C) No. 447/2017 (XVI -A)

Date : 29-11-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL  
 HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s)

|                   |  |
|-------------------|--|
| (CA 9700-9701/13) | Mr. G. Ramakrishna Prasad, AOR   |
| (CA 9702/13)      | Mr. Suyodhan Byrapaneni, Adv.<br>Mr. Mohd. Wasay Khan, Adv.<br>Ms. Filza Moonis, Adv.<br>Mr. G. Gautahm Gandhi, Adv. |
| (CA 9708-9709/13) | M/S. Venkat Palwai Law Associates  |
| (CA 9707/13)      | Mr. Reepak Kansal, Adv.<br>Mr. Anil Kumar Tandale, AOR   |
| (CA 4505/15)      | Ms. Malini Poduval, AOR  |
| (CA 4507/15)      | Mr. Gaurav Agarwal, Adv.<br>Mr. Nishe Rajen Shonker, AOR<br>Ms. Anu K. Joy, Adv.<br>Mr. Abraham Mathew, Adv.         |
| (TP 447/17)       | Mr. Anil Kaushik, Adv.<br>Mr. Pratap K.B., Adv.<br>Mr. Abhishek Mishra, Adv.<br>Ms. A. Sumathi, AOR                  |

For Respondent(s)  
 (In A.P. Matters)

Ms. V. Mohana, Sr. Adv.  
 Mr. Sridhar Potaraju, AOR

Ms. Sindaora VNL,Adv.  
Ms. Ankita Sharma,Adv.

Mr. Jitender Mohan Sharm,Adv.  
Mr. Venkateswara Rao Anumolu, AOR  
Mr. Prabhakar Parnam,Adv.

Mr. Guntur Prabhakar,Adv.  
Ms. Prerna Singh,Adv.

Mr. S. Udaya Kumar Sagar, AOR  
Mr. Mrityunjai Singh,Adv.

Ms. V. Mohana,Sr.Adv.  
Mr. Sridhar Potaraju, AOR  
Ms. Sindaora VNL,Adv.  
Ms. Ankita Sharma,Adv.

Mr. Ejaz Maqbool, AOR

M/S. Venkat Palwai Law Associates

Ms. Promila, AOR

Mr. A. N. Arora, AOR

Mr. G. Ramakrishna Prasad, AOR

(In Kerala Matters)

Mr. Thomas P. Joseph,Sr.Adv.  
Mr. Vipin Nair, AOR  
Mr. P.B. Suresh,Adv.  
Mr. Prithu Garg,Adv.  
Mr. Abhay Pratap Singh,Adv.

Mr. Nikilesh Ramachandran, AOR

Mr. T. G. Narayanan Nair, AOR

UPON hearing the counsel the Court made the following  
O R D E R

In terms of the signed order, C.A. NO(s).9700-9701/2013, 9702/2013 & 9708-9709/2013 are disposed of, C.A. No(s).9707/2013, 4505/2015, 4507/2015 are dismissed and T.P(C)No.447/2017 is dismissed as withdrawn.

Pending applications, if any, shall also stand disposed of.

(MAHABIR SINGH)  
COURT MASTER (SH)

(MADHU NARULA)  
BRANCH OFFICER

(Signed order is placed on the file)

