

[3418]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE TWENTY NINTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 19448 OF 2010

Between:

Mrs. Samina Ali, W/o. Mohd. Ali Raza, Aged about 58 years, Occ: Lecturer in English R/o. 3-4-717, Narayanaguda, Hyderabad.

...PETITIONER

AND

1. Union of India, Ministry of Human Resources Development, New Delhi, rep. by its Secretary,
2. State of Andhra Pradesh, rep. by its Secretary to Government, Department of Higher Education, Secretariat, Hyderabad.
3. University Grants Commission, New Delhi, rep. by its Secretary,
4. The Principal, Anwarul Uloom Evening College, Mallepally, Hyderabad (Affiliated to Osmania University)
5. Osmania Univerity, rep. by its Registrar, Hyderabad

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue writ, order or direction more particularly one in the nature of writ of mandamus declaring Section 2 of Act XVII of 1993 G.O.Ms.No. 208 dt. 29-6-1999 and G.O.Ms.No. 14 dt. 20-2-2010 on the file of the 2nd Respondent and intimation issued by the 4th respondent in so far as it deals with the age of superannuation and re-employment of teaching staff employed in Universities, aided and private educational institutions in the state of A.P. as beyond legislative competence of State Legislature and violative of Articles 256, 14 and 19(1)(g) of the Constitution of India and hence unconstitutional by directing the 2nd

respondent to implement the Notification No. F.3-1/94(PS) dt. 24.12.1998 and No.F.3-1/94 (PS) dated 24.12.1998 and No.F.3-1/2009(PS) dated 23.09.2009 issued by third respondent in its totality.

I.A. NO: 1 OF 2010(WPMP. NO: 24626 OF 2010)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent herein to continue the petitioner in service until the age of 65 years without reference to G.O.Ms.No. 208 dt. 29-6-1999 and G.O.Ms.No. 14 dt. 20-2-2010 issued by the 2nd Respondent and intimation issued by 4th respondent.

Counsel for the Petitioner : SRI K.SHANTI KUMAR

**Counsel for the Respondent No.1&3 : SRI GADI PRAVEEN KUMAR,
DY.SOLICITOR GENERAL.**

Counsel for the Respondent No.2 : GP FOR HIGHER EDUCATION

Counsel for the Respondent No.4 : SRI B.NALIN KUMAR

Counsel for the Respondent No.5 : SRI DEEPAK BHATTACHARJEE

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION No.19448 of 2010

ORDER: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

None for the petitioner.

Mr. T.Amarnath, learned counsel for the respondent
No.4.

2. It appears that the petitioner is not interested in prosecuting the writ petition. However, the question of law involved in the writ petition is kept open to be agitated in an appropriate proceeding.

3. Accordingly, the writ petition is dismissed for want of prosecution.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

**SD/- K. SREE RAMA MURTHY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

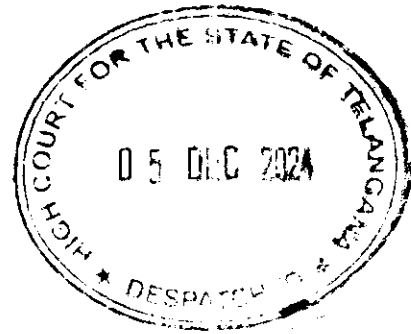
1. One CC to SRI K.SHANTI KUMAR, Advocate. [OPUC]
2. One CC to SRI B.NALIN KUMAR, Advocate. [OPUC]
3. One CC to SRI GADI PRAVEEN KUMAR, (Deputy Solicitor General of India), High Court for the State of Telangana at Hyderabad. [OPUC]
4. Two CCs to GP FOR HIGHER EDUCATION, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to SRI DEEPAK BHATTACHARJEE, Advocate. [OPUC]
6. Two CD Copies.

BSK

15.11.10

HIGH COURT

DATED:29/10/2024



ORDER

WP.No.19448 of 2010

**DISMISSING THE WRIT PETITION
FOR NON-PROSECUTION
WITHOUT COSTS**

9 Copies
[Signature]
13/11/24.