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**(2014) 10 AP CK 0135**  
**In the Andhra Pradesh High Court**  
**Case No : WA No. 1818 of 2013**

Ramesh Reddy and Others

APPELLANT

Vs

Kakatiya University, Warangal and Others

RESPONDENT

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**Date of Decision :** 16-10-2014

**Acts Referred:**

**Citation :** (2015) 3 ALD 705

**Hon'ble Judges :** L.N. Reddy, J;Challa Kodanda Ram, J.

**Bench :** Division Bench

**Advocate :** B. Narasimha Sarma, for the Appellant; Deepak Bhattacharjee, for the Respondent

**Final Decision :** Disposed off

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## Judgement

L.N. Reddy, J.?This writ appeal is filed against the order, dated 28.10.2013 passed by the learned Single Judge in WP No. 27400 of 2009. Five of the 8 writ petitioners are the appellants. The appellants are engaged as Lecturers on contract basis in various Departments by the Kakatiya University since 1999. The writ petition was filed claiming two-fold relief viz., to direct the University and the State Government to regularize the services of the petitioners therein and to extend the benefit of pay scales prescribed by the University Grants Commission (UGC). Learned Single Judge disposed of the writ petition directing that the respondents shall take necessary steps to notify the vacancies in the respective Departments, within a period of two months. The second limb of the relief was not granted. Heard Sri B. Narasimha Sharma, learned Counsel for the appellants, Sri Deepak Bhattacharjee, learned Standing Counsel for respondent Nos. 1 and 2 and learned Government Pleader for Higher Education appearing for respondent No. 3.

2. It is not in dispute that the appellants are continuing on contract basis for the past one and half decades. It certainly is a matter of concern not only for the appellants but also for the institutions of the level of University. The reason for the present state of affairs appears to be the dependence of the University upon

the State Government for according approval. For one reason or the other, the approval for filling the vacancies in the respective Departments, in which the appellants are working, does not appear to have been accorded. Learned Single Judge has granted relief to the extent possible and we are in agreement of the same.

3. So far as the second limb of the relief is concerned, we find it difficult to accede. It is no doubt true that in its Regulations dated 30.6.2010, the UGC directed that even where the faculty members are appointed on contractual basis, the emoluments at minimum of the pay scales must be paid, subject to certain conditions. One important aspect to be taken note of is, Regulation 2.3.1., which reads:

2.3.1. The revised scales of pay and age of superannuation as provided in clause 2.1.0 above, may also be extended to Universities, colleges and other higher educational institutions coming under the purview of the State Legislature and maintained by the State Governments, subject to the implementation of the scheme as a composite one in adherence of the terms and conditions laid down in the MHRD notifications provided as Appendix-I and in the MHRD Letter No. F.1-7/2010-U II dated 11 May, 2010 with all conditions specified by the UGC in these Regulations and other Guidelines.

4. It is not even asserted by the appellants that the State Government has adopted the Regulations providing for the payment of salary at scale to Part-time Lectures. It is only when such adoption is made by the State Government that the appellants would become entitled to be extended the benefit. In this regard also, the appellants can make a request to the State Government.

5. We therefore dispose of the writ appeal, upholding the order of the learned Single Judge, as regards taking of necessary steps for notifying the existing vacancies in the respective Departments and further holding that--

(a) the appellants are not entitled to be extended the benefit under Regulation 13.1 as it stands now; and

(b) it shall be open to the appellants to submit a representation to the State Government with a request to adopt the Regulations and in particular, Regulation 13.1 and as and when such a representation is made, the Government shall pass appropriate orders within a period of three months therefrom.

The miscellaneous petitions filed in this writ appeal shall also stand disposed of. There shall be no order as to costs.