APHC010460722026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE 14th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 25346 OF 2026

Between:

1. Dr. Korrapati Siva Prasad, S/o Samba Siva Rao, Aged 57, Working as Assistant Professor (Contract), Department of Mathematics, Acharya Nagarjuna University, R/o. D. No. 25-4-184 / Flat No. 503, Sri Sai Teja Towers, 5th Line, 3rd Cross, Chandramoulinagar, Guntur, Andhra Pradesh- 522007.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Higher Education (HE) Department, Secretariat Buildings, Velagapudi, Guntur District, Andhra Pradesh-522239.

2. The Andhra Pradesh State Council of Higher Education APSCHE, Rep. by its Secretary, Tadepalli, Guntur District, Andhra Pradesh-522501.

3. Dr B R Ambedkar University BRAU, Rep. by its Registrar, Etcherla, Srikakulam District- 532410.

4. The ViceChancellor Appellate Authority, Dr. B. R. Ambedkar University, Etcherla, Srikakulam District - 532410.

5. The Departmental Committee DC, For Recruitment to the Post of Associate Professor Mathematics and Applied Mathematics, Dr. B. R. Ambedkar University, Srikakulam, Rep. by its Chairperson/Head of the Department (HoD), Department of Mathematics, University Campus, Etcherla, Srikakulam District - 532410.

...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 toissue a Writ, Order, or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of Respondent No. 3 University and Respondent no. 5 Departmental Committee in rejecting the application of the Petitioner (ID USR0008557) for the post

of Associate Professor in Mathematics and Applied Mathematics under Employment Notification No. 4/BRAU/Assoc. Prof and Professor / Regular/2026, dated 15.05.2026, vide Final Scrutiny Remarks dated 19.08.2026, as illegal, arbitrary, unjust, contrary to G.O.Ms.No. 14 dated 13.02.2019, G.O.Ms.No. 20 dated 28.06.2023, and UGC Regulations 2018, and violative of Articles 14, 16, and 21 of the Constitution of India and consequently Set aside the impugned Final Scrutiny Remarks dated 19.08.2026 issued by Respondent Nos. 3 and 5 in so far as the Petitioner is concerned and further direct the Respondent Nos. 3 and 5 to treat the Petitioner as eligible by counting his past teaching service rendered at J.K.C. College, Chalapathi Institute of Engineering and Technology, and Acharya Nagarjuna University and permit the Petitioner to participate in the interview and all further selection processes for the post of Associate Professor in Mathematics and Applied Mathematics under the said notification

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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 direct the Respondents permit the Petitioner (Candidate ID: USR0008557) to participate in the entire selection process, including the interview for the post of Associate Professor in the subject of Mathematics & Applied Mathematics pursuant to Notification No. 4/BRAU/Assoc. Prof & Professor / Regular/2026, dated 15.05.2026 on par with the interim order dated 19.08.2026 granted by this Hon'ble Court in W.P. No. 22540 of 2026 pending disposal of writ petition

Counsel for the Petitioner: POSANI AKASH

Counsel for the Respondents: GP FOR SERVICES III

The Court made the following order:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.25346 of 2026

ORDER:

1. The present Writ Petition is filed questioning the action of Respondent No.3/University in rejecting the application of the Petitioner, bearing I.D. No. USR0008557, for the post of Associate Professor in Mathematics and Applied Mathematics under Employment Notification No.4/BRAU/Assoc.Prof&Professor/Regular/2026, dated 15.05.2026, as illegal and arbitrary.

2. The Respondent-University had issued a recruitment notification on 15.05.2026 for filling up of regular vacancies in the cadre of Associate Professor and Professor in the University. The Petitioner applied for the post of Associate Professor in Mathematics and Applied Mathematics. The selection criteria for the said post reads as under:-

> *"Essential Qualifications:*
>
> *1. A good academic record, with a Ph.D. Degree in Mathematics/ Applied Mathematics And,*
>
> *2. A Master's Degree in Mathematics/ Applied Mathematics with at least 55% marks (or an equivalent grade on a point-scale, wherever the grading system is followed). And,*
>
> *3. A minimum of eight years of experience in teaching and / or research in an academic/research position equivalent to that of an Assistant Professor in a University, College or Accredited Research Institution/industry with a minimum of Seven publications in Scopus/Web of science indexed/SCI/SCIE/UGC-CARE listed journals and a minimum total research score of Seventy-five (75) as per the criteria given in GO Ms. No 14 (Appendix 1)*
>
> *Desired Specializations: Applied Mathematics/Mathematics"*

3. It is submitted that the Petitioner completed Bachelor of Science (B.Sc.) in Mathematics, Physics and Chemistry from Acharya Nagarjuna University in April, 1990, and Master of Science (M.Sc.) in Application Oriented Mathematics from Acharya Nagarjuna University in March, 1993, with 71.5% (First Class). Subsequently, the Petitioner completed the Master of Philosophy (M.Phil.) degree in Mathematics from Acharya Nagarjuna University in the year 1999 by securing 'A' – Grade (83.6% marks). Later, the Petitioner was awarded the degree of Doctor of Philosophy (Ph.D.) in Mathematics in regular mode by Acharya Nagarjuna University on 15.02.2008 for the thesis titled 'Right Jacobson Radicals for Right Near Rings'.

4. While pursuing the academic qualifications as mentioned above, the Petitioner joined J.K.C. College, Guntur, on 09.05.1997 and discharged his duties as Lecturer/Assistant Professor in the Department of Mathematics until 05.09.2007. The appointment of the Petitioner was ratified by Acharya Nagarjuna University on 07.06.2005, and a service certificate was also issued by the said J.K.C. College to the Petitioner on 11.04.2018. Thereafter, the Petitioner worked in Chalapathi Institute of Engineering and Technology (CIET), Lam, Guntur, after getting selected through an open selection process, as Lecturer (later re-designated as Assistant Professor) from 06.09.2007

to 09.08.2010. Thereafter, he started working as Assistant Professor (contract basis) in the Department of Mathematics, University College of Sciences, at Acharya Nagarjuna University, from 11.08.2010 till date. Later, the Petitioner, having the above-mentioned qualifications and experience, applied for the post of Associate Professor in Mathematics and Applied Mathematics pursuant to the recruitment notification issued by the Respondent-University. However, the application of the Petitioner, as mentioned above, was rejected with the remarks as extracted below:-

S. No	*Candidate ID*	*Candidate Name*	*DOB*	*Father Name*	*Final Remarks*
1	*USR0008557*	*Korrapati Siva Prasad*	*22/5/1969*	*SAMBA SIVA RAO*	*The candidate does not satisfy the essential qualification at the time of his appointment in 1997 and obtained M.Phil in 1999. His services was ratified in 2005 as claimed in the letter issued by JKC college and hence does not satisfy the eligibility experience and pay scale criteria prescribed in GO 14 and GO 20 amendment.*

5. Questioning the rejection of his application, the Writ Petition is filed.

6. Sri Rama Chandra Rao Gurram, learned counsel for the Respondents, relied on Clause No.4 of G.O.Ms.No.20, Higher Education (UE) Department, dated 28.06.2023, and submitted that,

though the Petitioner is working as an Assistant Professor, since he is not being paid emoluments on par with those of a regular Assistant Professor, his experience in that cadre cannot be sustained.

7. Heard the counsels.

8. In the opinion of this Court, the rejection endorsement given by the Respondent-University may not be sustained, for the reason that the services of the Petitioner in JKC College were ratified by Acharya Nagarjuna University while the Petitioner was pursuing his Ph.D. in Acharya Nagarjuna University. Therefore, it would not be proper for the Respondent-University to reject the application of the Petitioner on the above said ground. Secondly, the impugned endorsement does not reveal on what ground the Petitioner does not satisfy the experience (eligibility) for appointment to the said post, as he is admittedly working in the University College of Sciences at Acharya Nagarjuna University as an Assistant Professor since 2010 onwards.

9. Coming to the submission made by Sri Rama Chandra Rao Gurram, learned counsel for the Respondents, and his reliance on Clause No.4 of G.O.Ms.No.20, Higher Education (UE) Department, dated 28.06.2023, in the opinion of this Court, the primary criterion for determining the past service is the experience of the individual in

discharging the duties as an Assistant Professor. The ground of pay scale could be a criterion to cross-check the applicants whose credentials as an Assistant Professor are doubtful. In cases where there is no doubt with regard to the duties as an Assistant Professor as in this case, the insistence on a pay scale on par with regular employees, as prescribed by the University Grants Commission ('UGC'), would be unfair, as the person appointed and working on a contract or temporary basis would not be in a bargaining position with his employer to demand pay equal to UGC scales as there would be an immediate threat of dispensing with his services. Therefore, in cases where there is absolutely no dispute with regard to the experience of eight years and as prescribed under G.O.Ms.No.20 under Clause 4.3(e), the same could not come in the way. A similar issue was considered by this Court in W.P.No.24395 of 2026 and batch and it was held that Regulation 10(f)(iii) is not applicable to the non-regular teaching faculty of the University as well as Government Lecturers teaching corresponding courses.

10. In view of the same, the Writ Petition is disposed of with the consent of the counsels, with the following directions:-

(i) The impugned final summary of ineligible candidates, dated 19.08.2026 issued by the

Respondent-University to the extent of the Petitioner is set-aside.

(ii) The Respondent-University is directed to permit the Petitioner to participate in the further selection process under the impugned recruitment notification without insistence on Regulation 10(f)(iii) of the UGC Regulations, 2018. No order as to costs.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

JUSTICE NYAPATHY VIJAY

Date: 14.10.2026
KLP/VSR