

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

MONDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT PETITION NO: 35633 OF 2025

Between:

1. P.S.V. Madhava Narasimhum, S/o, Late P.G.Ramaiah, Aged about 51 years, Occ. Project Assistant, R/o.H.No.8-3-222/C/1/27 (A/24), Madhuranagar, S.R.Nagar, Hyderabad.
2. Smt.Zareena Begum, D/o. Syed Masood, Aged about 43 years, Occ. Senior Project Assistant, R/o.Flat No.543, Site-II, NRR Puram Colony, Borabanda, Hyderabad.
3. Smt.S.V.Lakshmi, D/o. Late Samena Nageswara Rao, Aged about 53 years, Occ. Training Manager, R/o.H.No.1-2-116/17, New Green City, Budwel, Rajendranagar, Hyderabad.
4. V.Ramesh, , S/o. V.Alexander, Aged about 41 years, Occ. Assistant Manager, R/o. Quarter No.B-8, NIRD Campus, Rajendra Nagar, Hyderabad

...PETITIONERS

AND

1. The Ministry of Rural Development, Government of India, Rep. by its Joint Secretary (Trg), Room No. 22, 5B, 2nd Floor, India Habitat Centre, Lodhi Road, New Delhi-110003
2. The National Institute of Rural Development AndvPanchayati Raj, (An Organisation of the Ministry of Rural Development Government of India), Rajendra Nagar, Hyderabad, Rep. by its Director General

...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 the order in OA No. 1144/2018 dt. 14.08.2025 as arbitrary and illegal and quash the same and consequently declare the action of the Respondents in seeking to discontinue the service of the Petitioners as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India and

further direct the Respondents to continue the Petitioners in service with equal remuneration as being paid to similarly placed staff

IA NO: 1 OF 2025

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 stay the order of the Tribunal in OA No. 1144/2018 dt. 14.08.2025 and consequently direct the Respondents to continue the Petitioners in service with equal remuneration as being paid to similarly placed staff, pending disposal of the above writ petition

Counsel for the Petitioner: SRI. M. SRIKANTH

**Counsel for the Respondent No.1: SRI B. MUKHERJEE REPRESENTING
SRI N. BHUJANGA RAO
Deputy Solicitor General of India**

Counsel for the Respondent No.2: SRI N.BHARATIYA SUDARSHAN, SC

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN**

WRIT PETITION No.35633 of 2025

DATE: 08 .12.2025

Between:

P.S.V.Madhava Narasimhum and 3 others.

....Petitioners

AND

The Ministry of Rural Development and another.

....Respondent

ORDER

Heard Sri M.Srikanth, learned counsel for the petitioners; Sri B.Mukherjee, learned counsel representing Sri N.Bhujanga Rao, learned Deputy Solicitor General of India appearing for respondent No.1; and Sri N.Bharatiya Sudarshan, learned counsel appearing for respondent No.3 and perused the record.

2. In the present writ petition, the petitioners challenge the order dated 14.08.2025 passed by the Central Administrative Tribunal, Hyderabad, in O.A.No.1144 of 2018, whereby the Tribunal dismissed the Original Application (for short 'OA') filed by the petitioners and vacated the interim order dated 20.11.2018. The petitioners, who were engaged as project staff on contract basis by the 2nd respondent -

National Institute of Rural Development and Panchayati Raj (for short 'NIRDPR') seek a writ of Mandamus to quash the Tribunal's order, declare their termination illegal, arbitrary, and violative of Articles 14, 16, and 21 of the Constitution, and to direct their reinstatement with continuity of service and equal remuneration.

Factual matrix (in brief)

3. The petitioners were engaged by NIRDPR between 1995 and 2012 in various project-based capacities, including Project Assistant, Senior Project Assistant, Training Manager, and Assistant Manager (Accounts). Petitioners' appointments made exclusively on contract and linked to specific sanctioned projects, were governed by terms clearly stipulating that the engagement was temporary, project-specific, and conferred no right to regularisation or permanency, as reflected in the appointment orders and extensions (Annexures P-12 to P-16).

4. On 24.01.2018, NIRDPR issued Standing Order No. 816/2018, prescribing that project staff could be engaged only for the duration of the sanctioned project and, in any event, not beyond three years. Relying on this Standing Order, the respondents proposed to discontinue the petitioners' services, resulting in the petitioners to approach the Tribunal in O.A.No.1144 of 2018 challenging the Standing Order and seeking continuation. The Tribunal initially granted an interim order dated 20.11.2018. However, upon final adjudication, the Tribunal dismissed the said O.A No.1144 of 2018 by

order dated 14.08.2025 and vacated the interim order dated 20.11.2018.

5. Following the dismissal of the said O.A.No.1144 of 2018, by order dated 14.08.2025 and without waiting for the order to be uploaded and made available to the petitioners, the respondents issued termination orders dated 19.08.2025 to the petitioners in office order Nos.327, 328, 329 and 330.

6. Aggrieved by the order dated 14.08.2025 and the termination orders issued by the respondents dated 19.08.2025, the petitioners herein filed W.P.No.26941 of 2025. The Co-ordinate Bench of this Court by order dated 10.09.2025 kept in abeyance the discontinuation of the services of the petitioners till the order passed by the Tribunal dated 14.08.2025 is uploaded. Upon the Tribunal's order being uploaded, the respondents relieved the petitioners from service.

Contentions on behalf of the petitioners

7. Learned counsel for the petitioners submitted that the petitioners have rendered long, continuous, and uninterrupted service from about 13 to 30 years. The learned counsel contended that the initial engagement of the petitioners was through a regular selection process, comprising advertisement and interview, and they were appointed to the regular centres of NIRDPR rather than to any single project. Petitioners' services were utilised across multiple assignments based on administrative exigencies, and their salaries were drawn from

the institute's regular funds, demonstrating that the work discharged by them was perennial in nature.

8. It is contended that the description of the petitioners as "contractual/project staff" is a mere device to deprive them of legitimate service benefits. Standing Order No.816 of 2018, which restricts project engagement to three years, is contended to be arbitrary, unconscionable, and inapplicable to the petitioners, as they were not appointed against any specific project, at any point of time.

9. The petitioners further contend that the action of the respondents violates Articles 14 and 16 of the Constitution. While the petitioners were terminated, several juniors with inferior qualifications and lesser experience continue in service, contrary to the 'last-come-first-go' principle, thereby amounting to hostile discrimination and arbitrary treatment.

10. Learned counsel relied on a series of judicial precedents, namely: ***Hargurupratap Singh v. State of Punjab***¹; ***Jaggo v. Union of India***²; ***Shripal v. Nagar Nigam, Ghaziabad***³; and ***Dharam Singh v. State of U.P.***⁴, to contend that temporary designations cannot be used as a facade to deny fair treatment to employees who have rendered long, continuous service in posts of perennial nature, and

¹ (2007) 13 SCC 292

² 2024 SCC OnLine SC 3826

³ 2025 SCC OnLine SC 221

⁴ 2025 SCC OnLine SC 1735

that such employees are entitled to protection from arbitrary termination.

11. It is further contended that the orders of termination were issued immediately after the Tribunal's dismissal order was uploaded, even before the certified copy was made available, reflecting undue haste and malice. It is contended that the petitioners were not given any notice, opportunity of hearing, or a reasonable chance to state/substantiate their case, in complete violation of the principles of natural justice. It is further contended that the work of NIRDPR in the field of rural development being perennial, continuous, and expanding, and that the petitioners' duties formed an integral part of such functioning, which activities are perennial and not temporary. The institute's substantial corpus funds, as noted in the Standing Committee Report of 2025, undermine the respondents' plea of financial or administrative constraints and indicate that petitioners' discontinuation is arbitrary and unjustifiable.

Contentions on behalf of the respondents

12. Learned counsel for the respondents on the other hand contend that the petitioners were engaged purely on a contractual basis against specific projects; their appointment orders and subsequent extensions unequivocally stipulated that the engagement was temporary, project-linked, and conferred no right to regularisation or continuity, and the petitioners had accepted these terms voluntarily and continued to

work without demur for several years, thus the doctrine of acquiescence squarely applies to the present case.

13. It is submitted that Standing Order No. 816/2018 being a validly formulated policy intended to regulate the engagement of project staff, is uniformly applicable to all such personnel. The petitioners, having served across various projects from time to time, fall squarely within its scope, and their repeated contractual extensions cannot alter the fundamentally temporary nature of their engagement.

14. The respondents, placing reliance on ***Secretary, State of Karnataka v. Uma Devi***⁵, contend that the Hon'ble Supreme Court has categorically held that long or continuous service, in the absence of appointment against a sanctioned post through a constitutionally compliant selection process, does not vest any right to permanency. On that basis, it is argued that the petitioners, being purely temporary or contractual employees, possess no right to regularisation or automatic continuation.

15. The respondents also contend that there is no discrimination in their action. The continuation of certain junior project staff is attributable to administrative requirements, specialised skillsets, or ongoing project needs, and does not amount to hostile discrimination. The respondents contended that the principle of "last-come-first-go" is

⁵ (2006) 4 SCC 1

applicable to retrenchment under labour laws and has no relevance to the non-renewal of contractual engagements.

16. The respondents in regard to the termination have contended that they have acted strictly in accordance with law. The termination orders were issued only after the Tribunal dismissed the OA and vacated the interim order. The High Court, in W.P.No.26941 of 2025, had directed that the termination orders be kept in abeyance only until the Tribunal uploaded its order, and upon the order being uploaded on 13.11.2025, the respondents were lawfully entitled to act upon it. Thus, no malice or colourable exercise of power is attributable to the present case.

17. We have taken note of the respective contentions urged.

Consideration by this Court

18. On perusal of the record, it is pertinent to note that the foundational issue pertains to the nature of the petitioners' engagement. A scrutiny of the appointment letters and extension orders (Annexures P-12 to P-16) leaves no doubt that each document unequivocally stipulates that the engagement is purely temporary, contractual in nature with the concerned project, and that it does not confer any right to regular absorption or future employment, and carries only consolidated remuneration unconnected with regular pay scales or increments.

19. It is to be noted that the petitioners' assertion that they were appointed to the regular centres of NIRDPR and not to any particular project is contrary to the very record relied upon by them. Illustratively, the engagement letter of the 2nd petitioner (Annexure P-13), engagement letter of the 3rd petitioner (Annexure P-12) and engagement letter of the 4th petitioner (Annexure P-15) explicitly records their respective engagement under a specific Project, and the extension orders placed on record also make specific reference to projects. The petitioners' further contention that their salaries were drawn from the institute's regular funds is of no legal significance, as project funds are often channelled through the institute's general accounts. Thus, the determinative factor is the express terms of engagement, which unequivocally establish that the petitioners' appointments were purely contractual and linked to a specific project.

20. It is to be noted that the Standing Order No. 816 of 2018 is an internal regulatory framework issued by NIRDPR governing the engagement of project staff, which explicitly stipulates that such engagements shall be co-terminus with the duration of the sanctioned project and, in any event, shall not exceed three years. The said underlying intent of the policy is to prevent the phenomenon of indefinite continuation of temporary project personnel and to ensure periodic evaluation and review of staffing requirements.

21. The petitioners, being project staff, clearly fall within the ambit of the said policy, as the Standing Order does not operate retrospectively; it merely regulates ongoing and future engagements and extensions in a uniform manner. The fact that the petitioners' contracts were extended on multiple occasions neither places them beyond the scope of the policy, nor confers upon them any immunity from its application. Therefore, the Standing Order is neither unreasonable nor discriminatory.

22. Further, the petitioners' reliance on **Hargurupratap Singh** (Supra 1), **Jaggo** (Supra 2), **Shripal** (Supra 3), and **Dharam Singh** (Supra 4) is misplaced, as the said decisions are concerned with situations where employees were engaged in perennial and ongoing work without adherence to any regular recruitment process, and where the employer sought to replace them with another set of temporary workers or by outsourcing their functions. The factual matrix in the present case is materially different, as the petitioners were engaged through a transparent selection process for work that was exclusively project-linked, and their appointments were never intended to assume a permanent character.

23. It is to be noted that the binding exposition of law was made by the Hon'ble Supreme Court in the case of **Uma Devi** (Supra 5). In the present case, it is evident that the petitioners were not appointed against any sanctioned permanent post, as their engagement was

expressly temporary and contractual in nature. The length of the petitioners' service, though acknowledged, cannot supersede or nullify the terms of engagement, they consciously accepted. Therefore, there exists no infirmity in the Tribunal's conclusion that the petitioners have no vested right to continuation or regularisation.

24. Further, in regard to the allegation of discrimination on the ground that certain juniors have been retained in service, it is to be noted that the continued engagement of some project personnel is necessitated, as contended on behalf of the respondents, by the specialised skills they possess or by specific ongoing project requirements, making such decisions fall within the realm of administrative discretion.

25. In regard to the sequence of events leading to the impugned termination, it is to be noted that the Tribunal dismissed the O.A. on 14.08.2025, and in W.P.No.26941 of 2025, this Court had directed that any termination be kept in abeyance only until the Tribunal's order was uploaded. The Tribunal thereafter uploaded its order on 13.11.2025, and on the very same day, the respondents issued the termination orders. On these admitted facts, there is nothing to suggest any undue haste or *mala fide*, as the respondents have acted strictly in accordance with the judicial directions governing the matter.

26. It will not be out of the context to note that the petitioners, having accepted the contractual terms including consolidated remuneration for several years without demur, and having even applied for regular posts such as UDC when notified, clearly acknowledged the temporary nature of their engagement. The petitioners, having accepted and acted upon the contractual terms for years, are now estopped from challenging the very terms to which they earlier consented.

27. For the foregoing reasons, this Court is of the considered view that the petitioners were engaged as contractual, project-based staff under unequivocal terms, and their engagement is duly governed by Standing Order No.816 of 2018. The Tribunal's order dated 14.08.2025 is valid and does not warrant any interference by this Court.

28. Accordingly, the Writ Petition is dismissed. No order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/- U. SUDHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to SRI. M. SRIKANTH, Advocate [OPUC]
2. One CC to SRI. N. BHUJANGA RAO, Deputy Solicitor General of India Advocate [OPUC]
3. One CC to SRI. N. BHARATIYA SUDARSHAN, SC [OPUC]
4. Two CD Copies

BM

LS 

HIGH COURT

DATED:08/12/2025

ORDER

WP.No.35633 of 2025



DISMISSING THE WRIT PETITION WITHOUT COSTS

*6 copies
for
17/12/25*