

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

(Special Original Jurisdiction)

**TUESDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT PETITION NO: 815 OF 2026

Between:

Deepak Vashisht, S/o. Suresh Vashisht, Aged 35 years, Occ. Auditor, O/o. Principal Accountant General, Telangana State, Hyderabad, Address for correspondence. C-3/73-74, Second Floor, Rohini, Sector-11, New Delhi --110 085

...PETITIONER

AND

1. Union of India, Rep. by the Comptroller and Auditor General, 9, Deendayal Upadhyay Marg, New Delhi-01
2. The Principal Accountant General (G and SSA), , Telangana, Saifabad, Hyderabad - 500 004
3. The Deputy Accountant General (Admn), O/o. The Principal Accountant General (GandSSA), Telangana, Saifabad, Hyderabad - 500 004.
4. The Secretary, University Grants Commission, Bahadurshah Zafar Marg, New Delhi -01
5. The Secretary, Staff Selection Commission, Block No. -12, CGO Complex,
6. The Secretary, Department of Higher Education, Ministry of Human Resource Department, Shastri Bhavan, New Delhi
7. The Registrar, Institute of Advanced Studies in Education of Gandhi Vidya Mandhir, Sardarshahr, Chum District, Rajasthan - 401

...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 an order, direction or Writ more particularly one in the nature of Writ of Certioraris or any other appropriate writ after calling for the records in O.A.

No. 021/00535/2016, dated 3-7-2025 on the file of the Hon'ble Central Administrative Tribunal, Hyderabad Bench at Hyderabad, quash the same declare the termination order issued to the Petitioner vide Office Order No. 44 in Letter No. Admn.I/rectt/F.104Nashist PF/CGL-13/2016-17, dated 1-6-2016 issued by the Office of Principal Accountant General (GandSSA), Telangana, Saifabad, Hyderabad, is illegal, arbitrary and unjust and consequently set aside the same. and direct the Respondents to continue the Petitioner in service with all consequential benefits.

IA NO: 1 OF 2026

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 operation of the Office Order No. 44 in Letter No. Admn.I/rectt/ F.104/ Vashist PF/CGL-13 /2016-17, dated 1-6-2016 issued by the Office of Principal Accountant General (G and SSA), Telangana, Saifabad, Hyderabad, with further directions to continue the Petitioner in service.

Counsel for the Petitioner: SRI SAI PRASEN GUNDAVARAM

**Counsel for the Respondents No 1 To 3 : MS T. BALA JAYASREE,
STANDING COUNSEL**

**Counsel for the Respondents No 4 To 7: SRI N. BHUJANGA RAO,
DEPUTY SOLICITOR GENERAL OF INDIA**

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. 815 of 2026

DATED : 20.01.2026 .

Between:

Deepak Vashisht

... Petitioner

AND

Union of India,
Rep. by the Comptroller and Auditor General,
New Delhi-01 and six others

... Respondents

ORDER:

Mr. G.S. Prasen, learned counsel appears for petitioner.

Ms. T. Bala Jayasree, learned counsel appears for respondent Nos.1 to 3.

2. By the impugned order dated 03.07.2025, the learned Central Administrative Tribunal, Hyderabad Bench (for short 'the Tribunal'), has dismissed O.A.No.021/0535/2016 filed by the petitioner. Being aggrieved, the petitioner has preferred this Writ Petition.

3. The challenge before the learned Tribunal was to the Office Order No.44 dated 01.06.2016 terminating the services of the petitioner on the ground that the qualification of Bachelor of Arts Degree obtained by him from the Institute of Advance Studies in Education, Deemed University, Rajasthan (IASE), for the academic session 2008-2011, was not recognized by the University Grants Commission (UGC). The said University had provisional institutional recognition for the year 2007-08. But, thereafter, it did not have recognition during the period the petitioner undertook his studies. The petitioner had been appointed to the post of Auditor in the respondent Office of Principal Accountant General, Andhra Pradesh, pursuant to a recruitment exercise *vide* offer of appointment dated 22.01.2016. During certificate verification, the petitioner had stated that the degree/diploma offered by IASE is recognized by the Ministry of Human Resource Development (HRD) for the purpose of employment to posts and services under the Central Government. He enclosed a copy of the reply under the provisions of the Right to

Information Act, 2005, issued by the Ministry of Human Resources Development and requested for offer of appointment to him on provisional basis and to terminate him, if the verification revealed that the courses offered by IASE are not recognized by UGC. He was provisionally appointed on 08.02.2016 indicating in the terms and conditions of his appointment that if the authenticity of the certificates produced by the candidate upon verification from the certificate issuing authorities reveals that the certificates are not genuine/recognized, his services will be terminated without assigning any further reason and without prejudice to such further action as may be taken under the Indian Penal Code for production of false certificates. The learned Tribunal after considering the case of the parties came to the opinion that the essential educational qualification of the petitioner is not recognized for the purpose of employment to posts and services under the Central Government. Therefore, the petitioner has not been able to make out a case for interference. The O.A. was accordingly dismissed.

4. In the present Writ Petition, on the previous date, a specific query was made on the submission of the learned counsel for the petitioner that on account of an interim order dated 07.06.2016 passed by the learned Tribunal, his services continued. After the dismissal of O.A., his services have not been terminated. The respondents were asked to bring on record the counter-affidavit filed before the Tribunal based on which, the learned Tribunal recorded at para 3 that the petitioner requested to offer appointment to him on provisional basis and terminate him if verification reveals that the courses offered by IASE are not recognized by UGC.

5. When the matter has been taken up today, learned counsel for respondent Nos.1 to 3 has referred to the memo filed by them which contains the letter dated 08.02.2016 submitted by the petitioner for seeking provisional appointment. She has also referred to the appointment order dated 08.02.2016. Para 7 thereof has also been referred to in the impugned order. It says that during verification, it reveals that the certificates are not genuine or not recognized, his

services will be terminated forthwith without assigning any further reason.

6. Learned counsel for respondent Nos.1 to 3 submits that the petitioner cannot be allowed to continue in the absence of the essential eligibility educational qualification though he may have continued in service by virtue of an interim order passed by the learned Tribunal till the dismissal of O.A. filed by the petitioner. On instructions, she submits that the petitioner's services have not been terminated after dismissal of O.A.

7. Learned counsel for the petitioner submits that in line with the directions issued by the Apex Court in **Viplav Sharma v. Union of India**¹, a direction can be issued for holding of special exams for candidates who appeared through distance learning from IASE like the petitioner during the session 2008-11. It is submitted that since 2013 onwards, the courses offered by this institution have again been recognized. The petitioner may not be allowed to suffer for such reasons. He

¹ W.P. (Civil) No.142 of 2006

has also referred to the decisions of High Court of Judicature for Rajasthan at Jodhpur in **Institute of Advanced Studies in Education, (IASE), v. Union of India and others²** and **Janardan Rai Nagar Rajasthan Vidyapeeth (Deemed) University v. Union of India and others³**. He submits that the High Court of Judicature for Rajasthan has issued a slew of directions to remedy the mischief caused by these institutes by undertaking courses without recognition from the Ministry of Human Resource Development or UGC or IGNOU. UGC has been directed to promptly take steps to conduct fresh examinations for students whose degrees have been suspended following aforesaid directives within a year. The concerned institutes have been directed to refund the entire amount charged to students enrolled in new unapproved courses, off-campus study centers without prior approval, or distance education without approval. It also clarifies that until students pass the fresh examinations, any benefits obtained based on their diplomas and degrees shall also remain suspended. However,

² S.B. Civil Writ Petition No.5531 of 2015 dated 08.01.2024

³ D.B. Spl. Appl. Writ No.501/2024 and batch dated 30.05.2024

the employers were restrained from recovering monetary benefits or other advantages provided to candidates employed based on these diplomas and degrees. Upon their failure to pass examination to be conducted/organized by UGC, the consequences shall follow but no money recoveries even then be made by the employers. The institutes were directed to promptly close their off-campus study centers and cease offering courses through classroom or distance mode unless prior approval has been obtained.

8. Learned counsel for the petitioner submits that therefore, till the time the UGC makes such provisions for taking exam of students who undertook studies of courses not recognized by UGC, the employment of the petitioner may be protected.

9. The learned counsel for respondent Nos.1 to 3 however has strongly opposed the submission by stating that the Hon'ble Supreme Court has not passed any such direction in the decision rendered in **Viplav Sharma** (supra) for conduct of exams by such institutes and no such protection of employment be granted in favour of the petitioner who does

not have the basic educational qualifications for the post of Auditor.

10. We have considered the submissions made by the learned counsel for the parties. From the conspectus of facts and materials as are available from the record referred to hereinabove, the question of continuance of the petitioner on the basis of his certificate of graduation obtained from IASE for the course undertaken between 2008-2011 goes to the root of the matter regarding the eligibility of the petitioner for being appointed to the post of Auditor under the respondent Office of Principal Accountant General. The petitioner had been offered provisional appointment only on the basis of his undertaking that in case the certificate produced by him is not found to be recognized, he may be terminated. As such, continuance of the petitioner in the employment on the basis of interim direction of the learned Tribunal even for considerable period does not rectify the basic infirmity of eligibility which the petitioner suffers. As on date, the petitioner does not have eligibility educational qualification for appointment to the said

post. Any continuance in employment under the respondent Office of Principal Accountant General would be contrary to law. No equitable considerations can weigh in such circumstances. Therefore, we do not find any ground to interfere with the impugned order.

The instant Writ Petition is accordingly dismissed. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

SD/-M. NAGAMANI
ASSISTANT REGISTRAR

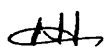
//TRUE COPY//


SECTION OFFICER

To,

1. One CC to SRI. SAI PRASEN GUNDAVARAM, Advocate [OPUC]
2. One CC to SRI. N BHUJANGA RAO, Deputy Solicitor General of India [OPUC]
3. One CC to MS T. BALA JAYASREE, STANDING COUNSEL, [OPUC]
4. Two CD Copies

DAN
BS

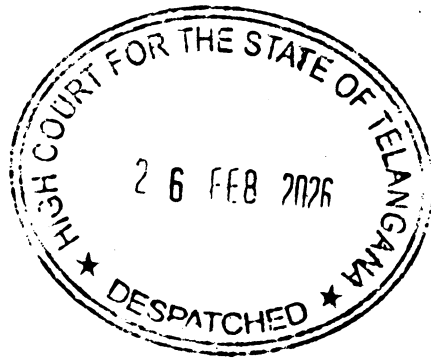


HIGH COURT

DATED:20/01/2026

ORDER

WP.No.815 of 2026



**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

(6)

NT
11.2/26