

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

**TUESDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

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

WRIT PETITION NO: 5648 OF 2026

Between:

Mr. K. Appa Rao, S/o: Late Sri K.Venkanna , Aged about 54 years, Occ:Sr. Technical Assistant Centre for Development of Advance computing Plot No.6and7, Hardware Park, Sy.No.1/1, Srisailam Highway Pahadishareef via Keshavagiri post, Hyderabad 501510.

...PETITIONER

AND

1. Union of India, Rep. by its Secretary, Ministry of Electronics and Information Technology (MEITY) (Govt. of India) Electronics Niketan, 6 CGO Complex, Lodhi Road, New Delhi - 110003.
2. The Director General, Centre for Development of Advanced computing, Innovation Park, S.no.34/1 Panchavati Pashan, PLATE-41 1008
3. The Executive Director, Centre for Development of Advanced computing, Anusandhan Bhavan, C-56/1, Sector-62, Institutional Area, Noida -201309, Uttar Pradesh (India).
4. The Director, Centre for Development of Advanced computing, Plot No.6and7, Hardware Park, Sy.No.1/1, Srisailam Highway, Pahadishareef Hyderabad 501510.

...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 or order or direction more particularly one in the nature of Writ of Certiorari calling for the records pertaining to order dt 13-02-2025 in O A.452 / 2017 on the file of the Hon'ble Central Admn Tribunal, Hyderabad. Bench and set aside the same as arbitrary , illegal and violation of the petitioner's fundamental rights guaranteed under Article 14 and 21 of the Constitution of India

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the order dated 13-02-2025 in OA.452 / 2017 on the file of the Central Admn Tribunal , Hyderabad Bench

Counsel for the Petitioner: SRI K. SUDHAKAR REDDY

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

Counsel for the Respondent Nos.2 to 4: SRI R. ANURAG, 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.5648 of 2026

DATED: 24.02.2026

Between:

Mr. K.Appa Rao

... Petitioner

AND

Union of India,
Rep. By its Secretary,
Ministry of Electronics and Information Technology (MEITY)
(Govt. Of India) Electronics Niketan, 6 CGO Complex,
Lodhi Road, New Delhi – 110 003 & 3 others

... Respondents

ORDER:

Heard Mr. K.Sudhakar Reddy, learned counsel appearing for the petitioner and Mr. R.Anurag, learned counsel appearing for respondent Nos.2 to 4.

2. The order impugned before the learned Central Administrative Tribunal, Hyderabad Bench (hereinafter referred to as 'the learned Tribunal') (page 37) is extracted hereunder:

"C-DAC: Corp-HRD/X1/5/2016/AG/2096
21 March, 2016

To,
Shri K. Apparao, MTS-B,
Centre for Development of Advance Computing,

Plot No. 6&7, Hardware Park,
 Sy No. 1/1, Srisailem Highway,
 Pahadi Shareef Via (Keshavgi Post), Hyderabad-500 005

Sub: Your representation dated: 6.12.2016 (appears erroneous) addressed to Honb'le Minister for Communications and IT, received from DeitY

Ref: DeitY letter no. 6(3)/2016-ABCD, dated: 1.02.2016 and even letter number dated: 23.02.2016 respectively.

Dear Shr. K. Apparao,

This is with reference to the captioned representation received from DeitY wherein you have requested C-DAC to consider and grant promotion to Grade Pay of Rs. 4600 from the year 2003, in place of 2010, during which were actually promoted to GP: 4600.

In this regard, we wish to inform you as below:

1. You were appointed in the scale of Rs.5000-8000, as a down operated post, as Technical Assistant in C-DAC Noida, after interviewing for the next higher post, as found suitable by the selection committee. The down operated appointment was accepted by you and you have joined the post on 12.05.1997.
2. In April 2002, you were called for the promotion review but were not promoted as it was not found fit by the review committee. Further you were promoted in the scale of pay of Rs.5500-9000, w.e.f. 01.07.2003, after due review process.
3. Subsequent to the merger of societies, promotion exercise for Below Group 'A' S&T staff, resumed in C-DAC only in the year 2010, after your completion of minimum residential period and you were promoted to the next higher scale i.e PB-2 with grade pay of Rs.4,600 (pre-revised scale of Rs.6,500-10,500) w.e.f 01.07.2010.
4. In the year 2015, when you were considered for next promotion, the average ACR ratings were below the minimum required and hence you were not screened in.

As per the facts mentioned above, there is nothing inappropriate observed in your case. Since the same matter raised by you at different forums have been replied/disposed of from time to time, you are advised not to raise same issue time and again at different forums.

It is also observed that you have preferred your representation to higher dignitaries, without routing it through proper channel, which is attributable as misconduct as per the provisions of CCS (CCA) Rules, applicable on you. Therefore, you are advised to restrain yourself from such acts in future.

Thanking You,

Yours faithfully,
 Sd/-
 Rai Varghese
 Director (HRD)"

3 The aforesaid order was based on the representation of the petitioner made on 06.12.2016 questioning his placement in a scale of 5000-8000 (Grade pay 4200) instead of 5500-9000 (Grade pay 4200) on his appointment as Technical Assistant in Electronics Research and Development Centre of India

(ER&DCI) in the year 1997. His progression in service career is referred to in para 2 of the impugned order, which is also extracted hereunder:

“2. The brief facts of the case are that the applicant was called for Interview for the Post of Technical Assistant in Electronics Research and Development Centre of India (ER & DCI) in the Pay Scale of Rs. 1640-2900/- against open Advertisement by 3rd Respondent in Employment News, dated: 12-18 October, 1996. The applicant submit that, he was appointed with same designation of Technical Assistant, but in the lower Pay Scale of Rs.1400-2600/-, which the applicant thought typographical error since the designation was not changed and remained as it was in the Advertisement. The applicant submits that his contemporaries were promoted to the next higher posts while he was put one step below. The Respondents have taken the work of Technical Assistants in the pay scale of Rs.1640-2900/- from the applicant and paid only the salary of Lower Scale of Rs. 1400-2600/-. He was called for interview vide order dated 18.04.2002 and after a gap of 13 months, he was promoted to the post of Senior Technical Assistant in the Pay Scale of Rs.5500-175-9000/- w.e.f. 01-07.2003 vide order dated 02.07.2002 issued by 3rd Respondent, which ought to have been given in 2002. The applicant was further denied promotions in 2006, when other similarly situated persons were promoted due to non-Availability of ACRs/APARs due to transfer. Further, the Applicant was promoted to the post of Member Support Staff S.V vide Proceeding No. HYD: HRD/Promotion: 2010:1779, dated: 03.08.2010, issued by 4th Respondent. The applicant was screened for the Post of Technical Officer in PB-II, Grade Pay of Rs.5400/- considering his APARs from 2010-2015 vide Email dated: 27-12-2016 issued by 4th Respondent and applicant did well and within the bench mark, but is not promoted till date in spite of his eligibility. The applicant further submits that his contemporaries were in the post of Principal Technical Officer, in PB III, Grade Pay Rs.7600/-, Member Technical Staff, who were in the same designation from the entry grade in 12th May 1997, whereas, he has been denied the same, which is clear discrimination and violation of the Articles 14 and 16 of the Constitution of India. The applicant has submitted representations to the 2nd and 3rd Respondents and finally to 1st Respondent, which were rejected through Impugned Order, dated 21.03.2016. Hence, the applicant approached this Tribunal and filed the present O.A.”

4. When the matter was finally heard in February, 2025, the learned Tribunal felt that the issue of not considering him for appointment as Technical Assistant in his initial appointment in the Pay Scale of Rs.1640-2900 after lapse of 20 years by way of O.A. is hit by delay and laches. The learned Tribunal at

para 7 also noted that petitioner had been promoted to the next higher grade on 05.01.2024 during pendency of the O.A. Being aggrieved by the dismissal of O.A., the applicant has preferred this writ petition.

5. On consideration of the rival submissions of learned counsel for the parties and perusal of the relevant materials on record, we do not find that the grievance of the petitioner is in relation to placement in a scale of Rs.1640-2900 i.e., 5500-9000 (Grade Pay 4200) at the time of his initial appointment in 1997. After 19 years, he had made the representation on 06.12.2016 which was rejected by the order impugned before the learned Tribunal in the O.A. dated 21.03.2016. Petitioner meanwhile climbed the ladder in the hierarchy of his service getting one promotion and the other from time to time. Therefore, the opinion of the learned Tribunal not to reopen his initial placement in the scale of Rs.1640-2900 after 19 years by way of filing this O.A. on grounds of delay and laches cannot be found fault with.

6. Learned counsel for the petitioner has cited the decision of the Apex Court in the case of **M.R. Gupta v. Union of India**¹ to assert that the instant grievance is a continuing cause of action.

7. In the present case, petitioner has joined in the post of Technical Assistant in Electronics Research and Development Centre of India (ER & DCI) in the year 1997 and had accepted the pay scale. In the case of **M.R. Gupta**

¹ AIR 1996 SC 669

(supra), it appears that the said appellant had joined service in 1967. Later, he joined service in the Railways in 1978 and claimed that on his joining Railways, he was entitled to fixation of pay after adding one increment to the pay which he has drawn on 01.08.1978 in accordance with fundamental Rule 22-c. That application was rejected by the learned Tribunal on the ground of limitation. The case of the present petitioner, therefore, is distinguishable on facts since it is not a case of his joining the present parent organisation after serving in some previous organisation and for fixation of his pay scale with addition of any such increments to be paid as was the case in **M.R. Gupta** (supra). The present petitioner accepted his joining on the said scale of pay and after accepting promotions from time to time, he has raised his grievance after 19 years by way of O.A.

8. Therefore, we are of the opinion that the said decision does not come to his aid.

9. The instant Writ Petition is, accordingly, dismissed. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

**SD/-L. VIJAYA LAXMI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri K. Sudhakar Reddy, Advocate [OPUC]
2. One CC to Sri N. Bhujanga Rao, Deputy Solicitor General of India [OPUC]
3. One CC to Sri R. Anurag, SC[OPUC]
4. Two CD Copies

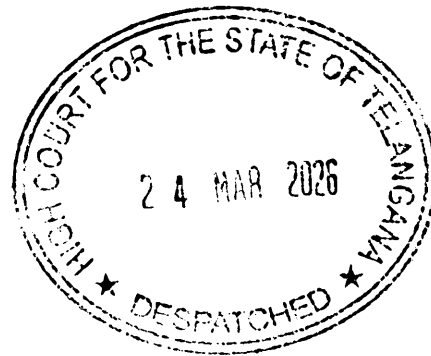
T J
BS

HIGH COURT

DATED:24/02/2026

ORDER

WP.No.5648 of 2026



**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

⑥
MBC
20/3