

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

**MONDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND**

THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT APPEAL NO: 253 OF 2026

Writ Appeal under clause 15 of the Letters Patent preferred against the Order dated 23/06/2025 in W.P.No.9563 of 2014. on the file of the High Court.

Between:

1. Aeronautics Township Educational Committee (ATEC), HAL High School, HAL Township, Balanagar, Hyderabad, Rep. by its Chairman.
2. The Secretary and Correspondent, Aeronautics Township Education Committee (ATEC), HAL Secondary School, CBSE Affiliation Code No.1630639 HAL Township, Balanagar, Hyderabad.

.....APPELLANTS/R 3 & R 4 IN W.P

AND

1. N.Sharada, W/o. D.V.Sharma, Aged about 45 years, Occ. Office Assistant, HAL Secondary School, R/o. Plot No. 42/1, H.No.30-89/5, National Insurance Colony, Khanajiguda, Tirumalagherry, Secunderabad.

.....RESPONDENT/PETITIONER

2. Hindustan Aeronautics Limited, Cubbon Road, Corporate Office, 15/1, Bangalore, Rep. by its Chairman and Managing Director.
3. The General Manager, Hindustan Aeronautics Limited, Hal Township, Balanagar, Hyderabad Division, Hyderabad. (R2 AND 3 are formal parties to this WA, no relief claimed against them)

.....RESPONDENTS/RESPONDENTS

I.A.NO:3 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

suspend the Order passed in W.P.No.9563 of 2014, Dt.23-06-2025 pending disposal of the main writ appeal in the interest of justice.

Counsel for Appellants : Ms. V.UMA DEVI

**Counsel for Respondent No.1 : SRI G.VIDYA SAGAR, REPRESENTING
Ms. K UDAYA SRI**

Counsel for Respondent Nos.2 & 3 : --

The Court made the following judgment : -

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 APPEAL No.253 of 2026

Dated: 02.03.2026

Between:

Aeronautics Township Educational Committee (ATEC)
and another.

...Appellants

and

N.Sharada
and 2 others.

...Respondents

JUDGMENT:

Learned counsel Ms. V.Uma Devi appears for the appellants.

Learned Senior Counsel Sri G.Vidya Sagar, representing learned
counsel Ms. K.Udaya Sri, appears for respondent No.1.

2. Heard the learned counsel for the parties.

3. The present appeal is filed against the judgment dated 23.06.2025 passed by the learned writ court in W.P.No.9563 of 2014 which was filed by respondent No.1 herein.

4. The challenge in the instant appeal is to the direction of the learned writ court passed in the writ petition to regularise respondent No.1 within a period of four months from the date of receipt of a copy of the said order with consequential benefits, allowances and post-retirement benefits as applicable to the post and arrears, if any to be paid to her.

5. The background facts leading to institution of the writ petition are that respondent No.1 was offered appointment after a regular interview on a consolidated salary of Rs.1200/- per month vide offer of appointment dated 22.02.1994. She was terminated on 28.03.2008 on the ground that the strength of the students in the school where she was working has reduced from 2000 to 800. The writ petition, being W.P.No.11778 of 2008, filed by her assailing the termination order was allowed on 09.07.2013 setting aside the termination order. It was held that she would be entitled for continuity of service and all attendant benefits. No direction for regularisation of service was issued. The learned writ court, however, left it open to respondent No.1 to file a

separate writ petition for regularisation or for other benefits if at all her services are not regularised. This led to filing of the present writ petition with a prayer to declare the action of the appellants and respondents No.2 and 3 in not regularising the services of respondent No.1 from the date of initial appointment i.e., 22.02.1994, as illegal, arbitrary and unjust and for a consequential direction to regularise the services of respondent No.1 with effect from the date of appointment with consequential benefits. The learned writ court considered the stand of the parties and also the decisions relied upon by them and finally directed the official respondents to regularise/absorb respondent No.1 within four months from the date of receipt of a copy of the order. The appellants, who are respondents No.3 and 4 in the writ petition, being aggrieved have preferred this appeal.

6. One of the grounds taken is that the schools maintained by the appellants' organisation, a private society, are not amenable to the writ jurisdiction. This plea has been contested by respondent No.1 on the ground that the earlier writ petition of 2008 was allowed setting aside the termination order. Therefore, this question is no longer open to be raised.

7. The appellants have also raised the ground that the learned writ court has considered the case of respondent No.1 at par with the teaching employees, whereas respondent No.1 has been working on a non-teaching post on a consolidated salary. It is, however, not in dispute that termination of respondent No.1 was set aside with continuity in service and till the passing of the impugned order, she has been retained in service, in effect, for thirty years and more. In those circumstances, it is apparent that there is a need for keeping her in employment in the appellants' organisation. In such circumstances, the learned writ court has been persuaded to issue directions for regularisation/absorption in service with consequential benefits.

8. However, we are of the view that the learned writ court ought not to have issued a direction to straightaway regularise/absorb respondent No.1 in service. Instead, the direction should be issued to consider her case for regularisation keeping into account her long years of service, appointment through a regular interview and the need of such work in the organisation of the appellants for thirty years and more and also keeping in mind the ratio rendered by the Apex Court in the decisions on the subject.

9. Learned counsel for the appellants submits that the appellants' organisation would consider the case of respondent No.1 for regularisation, if so directed.

10. In that view of the matter, the instant appeal is disposed of by modifying the impugned direction of the learned writ court to the effect that the appellants and respondents No.2 and 3 shall consider the case of respondent No.1 for regularisation/absorption within a period of four weeks from the date of receipt of a copy of this order. Needless to say, dependent upon such decision, consequential benefits shall flow in favour of respondent No.1. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/-MOHD. ISMAIL
DEPUTY REGISTRAR

SECTION OFFICER

To

1. The Chairman and Managing Director, Hindustan Aeronautics Limited, Cubbon Road, Corporate Office, 15/1, Bangalore.
2. The General Manager, Hindustan Aeronautics Limited, Hal Township, Balanagar, Hyderabad Division, Hyderabad.
3. One CC to Ms. V.UMA DEVI, Advocate [OPUC]
4. One CC to Ms. K.UDAYA SRI, Advocate [OPUC]
5. Two CD Copies

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Kg

HIGH COURT

DATED:02/03/2026



JUDGMENT

WA.No.253 of 2026

**DISPOSING OF THE W.A
WITHOUT COSTS.**

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