



CNR: KAHC010551282026

NC: 2026:KHC:48555-DB
WA No. 1892 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

WRIT APPEAL NO. 1892 OF 2026 (S-RES)

BETWEEN:

1. DR. T.D. GOVINDARAJU,
AGED ABOUT 67 YEARS,
S/O LATE DODDARASIAH,
RESIDING AT 41A, 3RD CROSS,
BHAVYA BHARATHA LAYOUT,
SRIRAMPURA 2ND STAGE,
MYSORE - 570 001.
2. DR. SHIVANNA M,
AGED ABOUT 65 YEARS,
S/O LATE MARIGOWDA,
RESIDING AT "GURUDEVA",
HOUSE NO.163, 7TH CROSS,
GURUKULA LAYOUT,
KUPPALURU,
MYSURU - 570 008.

...APPELLANTS

(BY SRI TEJASVI K V, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
DEPARTMENT OF HEALTH AND
FAMILY WELFARE, NO.105,

Digitally
signed by
VASANTHA
KUMARY B
K
Location:
HIGH
COURT OF
KARNATAKA



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1ST FLOOR, VIKAS SOUDHA,
BENGALURU-560 001.

2. THE PROJECT DIRECTOR,
KARNATAKA STATE AIDS
PREVENTION SOCIETY (KSAPS),
4TH FLOOR, EAST WING,
AROGYA SOUDA, MAGADI ROAD,
BENGALURU-560 023.
3. THE DISTRICT PROGRAM OFFICER,
DISTRICT AIDS PREVENTION
AND CONTROL UNIT,
MYSORE DISTRICT-560 001.
4. THE MEDICAL SUPERINTENDENT,
ART CENTER, K.R. HOSPITAL,
MYSORE MEDICAL COLLEGE AND
RESEARCH INSTITUTE,
IRWIN ROAD, MYSORE-570 001.

...RESPONDENTS

(BY SRI B. RAVINDRANATH, AGA FOR R-1 TO R-3;
SRI C.R. GOULAY, ADVOCATE FOR R-4)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE
THE FINAL JUDGMENT AND ORDER DATED 21.07.2026 PASSED
BY THE LEARNED SINGLE JUDGE IN W.P.NO.10983/2025 C/W
W.P.NO.11033/2025 AND ETC.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING,
THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:



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CORAM: HON'BLE MR. JUSTICE D K SINGH
and
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ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

1. Heard Sri Tejasvi K.V., learned counsel for the appellants, Sri B. Ravindranath, learned Additional Government Advocate for respondent Nos.1 to 3 and Sri C.R. Goulay, learned counsel for respondent No.4.
2. The present intra Court appeal has been filed impugning the judgment and order dated 21.07.2026 passed by the writ Court in W.P.No.10983/2025 c/w W.P.No.11033/2025.
3. The aforesaid writ petitions were filed by the appellants seeking to quash the Notification dated 01.04.2025 issued by respondent No.3 inviting applications for appointment of Senior Medical Officers/Medical Officers in the Central Government sponsored National AIDS Control Programme on contract basis. The second prayer sought by the appellants was that they



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should be allowed to continue on the post till they complete the age of 69 years.

4. Initially, appellant No.1 was appointed on 09.04.2021 on contract basis for a period of one year. His appointment was renewed year after year and it continued as such till 31.03.2025. Appellant No.2, though appointed on 06.07.2024 on contract basis, but he could continue only up to 31.03.2025. In pursuance to the Notification dated 01.04.2025 issued for appointment of Medical Officers in the National AIDS Services Control Organization, the interviews were conducted and in place of the appellants, two other doctors have been appointed on contract basis and appointment orders have been issued in their favour.

5. The terms and conditions of appointment of the appellants would clearly show that their appointment was for a period of one year, which could be extended on the basis of the recommendation of the Selection Committee/Nodal Officer. The terms and conditions of the contract of appointment of the appellants would read as under:-



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- "1. This appointment is purely on a temporary and contract basis for a period of one year.*
- 2. Candidates appointed on this contract basis shall have no right to claim regular appointments.*
- 3. A consolidated salary of Rs.90,000/- (Rupees Ninety Thousand Only) per month will be paid, and no other allowances will be applicable.*
- 4. The Selection Committee reserves the right to terminate the appointed candidate from service without prior notice in case of negligence of work or misconduct.*
- 5. Working hours will be from 9:00 AM to 4:00 PM on all days except Sundays.*
- 6. On Public holidays, duty must be performed from 9:00 AM to 1:00 PM.*
- 7. Leave, work execution, and rights shall be subject to the rules and regulations of the project.*
- 8. An agreement must be carried out on a Rs.100.00 (Rupees One Hundred Only) stamp paper and submitted to this office."*

6. Thus, the terms and conditions of the contract of appointment would clearly disclose that the appointment was purely on temporary and contract basis for a period of one year on a consolidated salary of Rs.90,000/- per month. The



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Selection Committee would be entitled to terminate the appointed candidate from service without prior notice in case of negligence of work or misconduct.

7. Learned counsel for the appellants has vehemently submitted that in view of the NACO Guidelines and the Circular dated 04.12.2019 issued by the Ministry of Health and Family Welfare, the upper age limit for employment of contractual Medical Officers in the National AIDS Control Programme is 70 years and therefore, the appellants should have been allowed to continue in their post up to 70 years by renewing their contracts year after year.

8. The appointment of the appellants was not under some statutory rules or regulations, but it was under a contract governed under the terms and conditions as provided in the appointment letter. A doctor once appointed as Medical Officer under the National AIDS Control Programme cannot claim, as a matter of right, to continue on the post till he attains the age of 69/70 years. Even before one year of completion of contract, the appointment could be terminated by the Selection



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Committee as provided in the terms and conditions of the appointment. Even if the Selection Committee has decided not to renew the contractual employment of the appellants beyond 31.03.2025, there are no allegations of any *mala fide* or bias in the decision of the Selection Committee. We have no reason to go beyond the decision of the Selection Committee when there are no allegations of *mala fides* or bias for not extending the contract of the appellants beyond 31.03.2025. The appellants would not have any right to maintain the writ petitions seeking a writ of mandamus to allow them to continue till they attain the age of 69/70 years, as the case may be, merely on the basis of a Circular or NACO Guidelines.

9. The appellants are not entitled to any relief from this Court as the terms and conditions of the appointment itself provide that their appointment could be terminated even before completing one year. The sole discretion of extending the contractual appointment of the appellants beyond one year would be of the Selection Committee and the Selection Committee has not found it fit to extend their contractual appointment beyond 31.03.2025. We find no reason to



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interfere with the impugned judgment and order passed by the learned Single Judge and therefore, the writ appeal is dismissed, however, without costs.

In view of dismissal of the writ appeal, pending IAs, if any, do not survive for consideration and accordingly, they stand disposed of.

**SD/-
(D K SINGH)
JUDGE**

**SD/-
(H.SHANTHI BHUSHAN)
JUDGE**

BKV
CT:SN
List No.: 2 Sl No.: 10