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

WEDNESDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION NO: 25151 OF 2026

Between:

Pulamoni Srinivasaulu, S/o P. Narasimha Aged about 42 years, Occ. Librarian, Office of the ESIC Medical College and Hospital, R/o 7-2-1087/A, Raja Rajeshwari Nagar, B.K. Guda, Sanath Nagar, Hyderabad - 500038.

...PETITIONER

AND

1. Union of India,, Rep. by its Secretary, Ministry of Labour and Employment, Central Secretariat, New Delhi - 110001.
2. The Chairman,, National Medical Commission, Pocket - 14, Sector - 8, Dwarka Phase - I, New Delhi - 110077.
3. The Director General,, Employees State Insurance Corporation, Headquarters Office, Panchdeep Bhawan, C.I.G. Marg, New Delhi - 110002.
4. The Regional Director,, Regional Office, ESIC, Hillfort Road, Adarshnagar, Hyderabad - 500063.
5. The Dean / Medical Superintendent,, ESIC Medical College and Hospital, Sanathnagar, S.R. Nagar, Hyderabad - 500038.
6. The Assistant Director / Joint Director (Admin),, ESIC Medical College and Hospital, Sanathnagar, S.R. Nagar, Hyderabad - 500038.
7. The Central Administrative Tribunal,, Hyderabad Bench, Rep. by its Registrar, No. 5-10-193, 1st Floor, HACA Bhavan, Hyderabad - 500004.

...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 a Writ of Certiorari, or any other appropriate Writ, Order or direction, calling

for the records relating to and setting aside the order dated 30.04.2026 passed by the 7th Respondent Tribunal in Item No. 3, Diary No. 661/2026 (OASR No. 661/2026), whereby the Registry's objection to the numbering/registration of the Petitioner's Original Application was sustained and the papers were directed to be returned without the Petitioner's specific submissions being independently examined or reasons being assigned, as being illegal, arbitrary, unreasoned and violative of the principles of natural justice and Articles 14 and 16 of the Constitution of India. consequently quash and set aside the impugned Officer Order No. 11 of 2023 issued vide No. A/77/2022-Admin/MCH-Part(1) dated 09.02.2023, whereby the Petitioner was transferred/posted from the post of Chief Librarian/Librarian to the Nursing Station as Nursing Orderly, as arbitrary, illegal, without authority, violative of MCI Norms, without jurisdiction, violative of Articles 14 and 16 of the Constitution of India, and violative of the principles of natural justice.

I.A. NO: 2 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 and implementation of the impugned Officer Order A/77/2022-Admin/MCH-Part (1) dated 09.02.2023 consequently directing the Respondents to permit the Petitioner to continue in the post of Librarian.

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 direct the Respondents to determine the employment status of the Petitioner for the period September 2016 to February 2023 and to pass a reasoned and speaking order in that regard.

Counsel for the Petitioner: SRI ANS VENKATESH, REPRESENTING M/s ELITE LEX LLP

Counsel for the Respondent No.1: SRI. N BHUJANGA RAO, DEPUTY SOLICITOR GENERAL OF INDIA
Counsel for the Respondent No.2: SRI GORANTLA SRI RANGA PUJITHA
Counsel for the Respondents No.3 To 6 : SRI PASHAM SRINIVASULU
Counsel for the Respondent No.7 : ----

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT PETITION NO.25151 OF 2026
(CNR NO.HBHC010519412026)

DATE OF ORDER: 28.10.2026

RESERVED ON: 16.10.2026

PRONOUNCED ON: 28.10.2026
UPLOADED ON: 29.10.2026

BETWEEN:

Pulamoni Srinivasaulu.

.....Petitioner

AND

Union of India,
Rep. by its Secretary,
Ministry of Labour and Employment,
Central Secretariat, New Delhi – 110001 And Six Others.

... Respondents

Mr. ANS. Venkatesh, learned counsel representing M/s. Elite Lex LLP appearing for the petitioner.

Ms. Gorantla Sri RangaPujitha, learned counsel appearing for the respondent No.2.

Mr. PashamSrinivasulu, the learned Standing Counsel appearing for the respondent Nos.3 to 6.

ORDER: *(per Hon'ble Justice Moushumi Bhattacharya)*

1. The Writ Petition has been filed against an order dated 30.04.2026 passed by the Central Administrative Tribunal, Hyderabad (Telangana), HACA Bhavan, Hyderabad ('the Tribunal'), in Item No.3 of Diary No.OASR No. 661 of 2026, whereby the Tribunal sustained the Registry's objection to the numbering/registration of the petitioner's

Original Application and directed that the papers be returned to the petitioner.

2. The impugned order of the Tribunal, which is recorded in a four-line tabulated format, upholds the objection raised by the Registry and directs the Registry to return the papers, holding that the applicant (writ petitioner) may find out the appropriate remedy.

3. The case of the petitioner, as argued by learned counsel, is that the Registry's objection erroneously conflated the present application with an earlier application filed by the petitioner namely O.A.No.51 of 2024. In the earlier application, the petitioner sought to call for the records pertaining to the proceedings dated 17.11.2023, whereby the petitioner's claim for appointment to the post of Librarian by way of transfer was rejected, and to declare that the petitioner was entitled for consideration for appointment to the post of Librarian, with all consequential benefits.

4. Counsel submits that the prayer in the proposed new O.A. (O.A.S.R.No. 661 of 2026) is entirely distinct, as it challenges Office Order No.11 of 2023 dated 09.02.2023, whereby the petitioner was transferred/posted from the post of Chief Librarian/Librarian to the Nursing Station as a Nursing Orderly. Counsel further submits that the objection raised by the Registry predicated on the ground that the earlier O.A.No.51 of 2024 had been dismissed and that a Writ Petition

(W.P.No.19177 of 2025) filed by the petitioner is pending before the High Court for the State of Telangana, is without basis.

5. Counsel reiterates that the prayers in O.A.No.51 of 2024 and the proposed new O.A. are entirely different, since O.A.No.51 of 2024 was filed against the proceedings dated 17.11.2023, whereas the proposed new O.A. is filed challenging the Office Order dated 09.02.2023.

6. The learned Standing Counsel appearing for the respondent Nos.3 to 6 submits that the order dated 17.11.2023, which was the subject matter of O.A. No.51 of 2024, and the order dated 09.02.2023, which is proposed to be challenged in the new O.A., form part of the same proceedings, since the Office Order dated 09.02.2023 marked the commencement of the petitioner's posting as a Nursing Orderly.

7. It is submitted that the subsequent order dated 17.11.2023 was a reasoned order whereby the Competent Authority rejected the petitioner's claim for appointment to the post of Librarian, while the primary order dated 09.02.2023 directed the transfer/posting of the petitioner to the Nursing Station as a Nursing Orderly with immediate effect.

8. The Standing Counsel further submits that the petitioner's previous O.A. (No.51 of 2024), filed against the Office Order dated 17.11.2023, was dismissed by the Tribunal on 07.04.2025. The

petitioner subsequently filed a Writ Petition challenging the said order of dismissal before this High Court, which is presently pending.

9. It is also submitted that the petitioner had earlier filed O.A.No.21/073 of 2023, which was dismissed by the Tribunal on 07.03.2023. A Writ Petition (W.P.No.9848 of 2023) filed by the petitioner against the said dismissal was also disposed of by the High Court on 25.07.2023, directing the petitioner to submit a fresh representation before the respondents for appointment to the post of Librarian for recruitment by transfer and further directing the respondents to consider such representation and pass appropriate orders thereon within a period of three months from the date of receipt of the representation.

10. Pursuant to the said directions, the petitioner's representation dated 18.08.2023 was duly considered by the respondents and the same was rejected vide order dated 17.11.2023 as being devoid of merit and is in gross violation of Recruitment Regulations of ESIC. The order dated 17.11.2023 forms the subject matter of the petitioner's second O.A. (No.51 of 2024).

11. It is evident from the submissions made on behalf of the parties that the petitioner has approached the Tribunal on several occasions to challenge the Office Orders passed by the competent authority posting the petitioner as a Nursing Orderly at the Nursing Station. The subsequent Office Orders form part of a continuous chain of

proceedings arising out of the petitioner's claim for appointment to the post of Librarian by the Competent Authority.

12. It appears that the petitioner has sought to invoke the statutory remedy available before the Tribunal at various stages of proceedings, during which the Authorities consistently rejected the petitioner's claim. However, it is a well settled principle that the petitioner is entitled to know the specific reasons as to why the Tribunal upheld the Registry's objection to the registration of the proposed new O.A. The Tribunal is, therefore, under an obligation to record its reasons for sustaining the Registry's objections. This duty becomes even more paramount in the present case where the petitioner resubmitted its reasons stating that the prayer in O.A.No.51 of 2024 was entirely different and distinct from the prayer sought in the proposed new O.A. In this context, it is important to set out the objection taken by the Registry.

> '(I) Relief already discussed and dismissed in O.A.No.51 of 2024.
> (II) The order is under challenge in the Hon'ble High Court of Telangana. Hence, *sub-judice*.'

13. The impugned order dated 30.04.2026 passed by the Tribunal is set out below.

> 'Heard, Mr. ANS Venkatesh, learned counsel for the applicant.
> Registry's objection sustained.
> Registry is directed to return the papers.
> Applicant may find out the appropriate remedy.'

14. A perusal of the above would show that neither the objection taken by the Registry nor the subsequent order passed by the Tribunal clearly contains any reasons. Both the objection and the order are cryptic and opaque. Any applicant approaching the Tribunal or any other judicial forum who is being non-suited has an absolute right to know the reasons for such rejection.

15. Although, this Court has now had the benefit of analyzing the underlying context, the Tribunal cannot presume that a superior Court which the petitioner might ultimately approach would automatically deduce the effect, import or background of the earlier orders passed by the Tribunal in the absence of a reasoned order.

16. Hence, in our view, it is imperative that any order of rejection or any decision non-suiting a litigant must be supported by reasons. The Registry of the Tribunal cannot be permitted to act as an absolute gatekeeper to exclude applicants who approach the Tribunal seeking statutory relief. Even if the Tribunal is of the view that the applicant is a habitual litigant or that the proposed application is vexatious, the Tribunal must clearly state the reasons for reaching such a conclusion in its order of rejection. The direction by the Tribunal simply instructing the Registry to return the papers fails to satisfy the test of a reasoned order.

17. Hence, we are inclined to allow the Writ Petition and set aside the impugned order dated 30.04.2026. The matter is remanded to the

Central Administrative Tribunal, Hyderabad. The Tribunal is directed to list the proposed new O.A. and pass a reasoned order thereon.

18. It is made clear that this Court has not expressed any opinion on the merits of the matter, nor has the Court considered any submission on the merits thereof from learned counsel.

19. W.P.No.25151 of 2026, along with all connected applications, is accordingly allowed and disposed of by setting aside the impugned order dated 30.04.2026 passed by the Central Administrative Tribunal, Hyderabad.

SD/-M.OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Secretary, Ministry of Labour and Employment, Union of India, Central Secretariat, New Delhi - 110001.
2. The Chairman,, National Medical Commission, Pocket - 14, Sector - 8, Dwarka Phase - I, New Delhi - 110077.
3. The Director General,, Employees State Insurance Corporation, Headquarters Office, Panchdeep Bhawan, C.I.G. Marg, New Delhi - 110002.
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7. The Central Administrative Tribunal, Hyderabad Bench, Rep. by its Registrar, No. 5-10-193, 1st Floor, HACA Bhavan, Hyderabad - 500004.
8. One CC to M/s ELITE LEX LLP, Advocate [OPUC]
9. One CC to SRI. N BHUJANGA RAO, Deputy Solicitor General of India [OPUC]
10. One CC to SRI GORANTLA SRI RANGA PUJITHA, Advocate [OPUC]
11. One CC to SRI PASHAM SRINIVASULU, Advocate [OPUC]
12. Two CD Copies

DAN
PB

HIGH COURT

DATED: 28/10/2026

ORDER

WP.No.25151 of 2026



ALLOWING THE WRIT PETITION WITHOUT COSTS

(14)

fcpr

6/11/26