



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO. 25898 OF 2025 (S-RES)

BETWEEN:

SMT. MANJULA H.N.,
AGED ABOUT 48 YEARS,
W/O BASAVARAJU K.N.,
WORKING AS PROJECT MANAGER,
NIRMITHI KENDRA,
CHAMARAJANAGARA,
R/AT GROUND FLOOR,
SREE BEERESHWARA NILAYA,
SHREE CHAITANYA RESIDENTIAL LAYOUT
MASAGAPURA,
CHAMARAJANAGARA - 571 313.

...PETITIONER

(BY SRI. D.R.RAVISHANKAR, SENIOR COUNSEL FOR
SRI.SHIVA KUMAR N., ADVOCATE)

AND:

1. PRINCIPAL SECRETARY,
HOUSING DEPARTMENT,
GOVERNMENT OF KARNATAKA,
OFFICE AT 2ND FLOOR,
VIKASA SOUDHA,
BENGALURU - 560 001.
2. CHIEF EXECUTIVE OFFICER,
(MANAGING DIRECTOR, RAJIV GANDHI
VASATHINIGAMA),
KARNATAKA RAJYA NIRMANA KENDRA,

Digitally signed
by
SHARADAVANI
B
Location: High
Court of
Karnataka





OFFICE AT 9TH FLOOR,
E AND F BLOCK, KAVERI BHAVANA,
KEMPEGOWDA ROAD,
BENGALURU - 560 009.

3. DEPUTY COMMISSIONER,
(CHAIRMAN), NIRMITHI KENDRA,
OFFICE AT ZILLA ADALITHA BHAVANA,
CHAMARAJANAGARA - 571 313.
4. DIRECTOR,
KARNATAKA RAJYA NIRMANA KENDRA,
OFFICE AT SY. NO.18,
OPP. BEST COUNTY BUS STOP,
NEAR SAMBRAM COLLEGE,
CHIKKABETTAHALLI,
HESARAGHATTA MAIN ROAD,
VIDYARANYAPURA POST,
BENGALURU - 560 097.

...RESPONDENTS

(BY SRI.S.A.AHAMED, AAG A/W
SRI.SPOORTHY HEGDE, AGA FOR R1 & R3;
SRI.JAYAKUMAR S PATIL, SENIOR COUNSEL FOR
SRI.RAHUL P., ADVOCATE FOR R2 AND R4)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO I. ISSUE WRIT OF
CERTIORARI OR ANY OTHER WRIT/DIRECTION OR ORDER
AGAINST THE RESPONDENT NO.2 HEREIN AND QUASH THE
IMPUGNED ORDER OF RETRACTION OF DEPUTATION DATED
28.07.2025 WITH NO. KARNIK.25.NI.K.46.2025/7428 ISSUED BY
RESPONDENT NO 2 HEREIN VIDE ANNEXURE-H1 AND ETC.,

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, the petitioner seeks the following reliefs.

"i. Issue Writ of Certiorari or any other Writ/direction or order against the Respondent No.2 herein and quash the impugned order of retraction of deputation dated 28.07.2025 with No. KARNIK:25:Ni:K:46:2025/7428 issued by Respondent No.2 herein vide ANNEXURE-H1.

ii. Issue Writ of Certiorari or any other Writ/direction or order against the Respondent No.3 herein and quash the order of relieving petitioner from duty dated 16.08.2025 with No. NirmithiKendra/Yo.Vya/Nemakathi/01/2023-24 issued by Respondent No.3 herein vide ANNEXURE-J

iii. Direct the Respondent Authorities to continue the services of the Petitioner in the position of Project Manager, Nirmithi Kendra, Chamarajnagara,

iv. Pass such other order/s as this Hon'ble Court deems fit as per facts and circumstances of the case."

2. Heard learned counsel for both the parties and perused the material on record.

3. The Material on record will indicate that the petitioner was initially appointed as an Assistant Engineer in respondent



Nos.2 and 4 - KARNIK from 10.06.2008 onwards up to 19.07.2023, when she was deputed to respondent No.3 - Nirmithi Kendra as Project Manager on 12.10.2023. After intervening litigation in WP No.20687/2023, the petitioner assumed the charge of the Project Manager, Nirmiti Kendra, Chamaraj Nagar on 12.10.2023. When the petitioner was working as a Project Manager at respondent No. 3 - Nirmiti Kendra, respondent No.1 - State issued a communication dated 08.11.2023 purporting to withdraw/retract the deputation order dated 17.07.2023. At that time, the petitioner approached this Court in WP No.25113/2023 and an interim order of stay was granted on 10.11.2023 which continued to remain in force and operate between the parties, till the said petition was disposed of vide final Order dated 15.03.2024. Meanwhile, respondent No.4 passed one more order dated 15.11.2023 purporting to outsource the services of the petitioner, which was challenged by her in WP No.28589/23, in which this Court has passed an order of stay and the same is pending consideration.

4. Subsequently, on 15.03.2024, this Court allowed WP No.25113/2023 and took into account the undisputed fact that the petitioner was deputed to work as a Project Manager in



respondent no. 3 - Nirmiti Kendra from 12.10.2023 onwards, as a result of which, her tenure would come to an end only on 12.10.2025 and accordingly disposed of the said petition as hereunder :

"ORDER

The captioned petition is filed assailing the impugned order passed by the respondent No.1 withdrawing the deputation order under which petitioner was posted as Project Manager of Chamarajanagara Construction Centre. The said order is assailed by the petitioner.

2. Petitioner has been working as an Assistant Engineer since 2008 at respondent No.2-Karnataka Rajya Nirmana Kendra. Vide order dated 19.07.2023 issued by the Managing Director of respondent No.2, upon direction of the Principal Secretary, Housing Department, petitioner herein was deputed as Project Manager of respondent No.3-Nirmithi Kendra. Petitioner was relieved from the post and reported to duty at respondent No.3-Nirmithi Kendra.

3. Respondent No.3 issued a public notice by way of paper publication calling for applications for the post of Project Manager. Though respondent No.1 had issued directions to respondent No.3 and all other Nirmithi Kendra baring in new appointments for the post of Project Director, respondent No.3 proceeded with recruitment process and appointed one Girish as Project Manager, Chamarajanagara.

4. Petitioner questioned the appointment in W.P.No.20687/2023. The coordinate Bench allowed the writ petition and appointment of one Girish to the post of Project Manager was set aside by this Court. This Court was of the view that the said Girish did not possess reasonable eligibility criteria to be appointed to the post of Project Manager. Para 11 to 14 of the said order would be relevant and the same is extracted as under:



"11. In that view of the matter, it is clear that the appointment of respondent No.4 would be illegal, since he did not possess the appropriate qualifications of M.Tech from a recognized University. As a consequence, the impugned order appointing respondent No.4 is quashed.

12. The respondents are directed to consider the applications of the other eligible candidates and pass appropriate orders, accordingly. W.P.No.20692/2023 is allowed to the extent stated above.

13. In view of the above, W.P.No.20687/2023 does not survive for consideration and the same is accordingly disposed of.

14. As a consequence, if respondent No.4 has taken charge, he shall forthwith hand over the charge to the petitioner in W.P.No.20687/2023."

5. Pursuant to the directions issued by this Court to respondent No.4 therein to forthwith handover charge to the present petitioner, the local MLA who is the Ex-Manager has issued a letter to respondent No.1 to immediately remove petitioner as she has brought disrepute to the Department by initiating litigation against the Department. It would be useful for this Court to refer to the contents of the letter addressed by the MLA which reads as under:

"ಈ ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಕರ್ನಾಟಕ ರಾಜ್ಯ ನಿರ್ಮಾಣ ಕೇಂದ್ರದಲ್ಲಿ ಶ್ರೀಮತಿ ಮಂಜುಳಾ ಹೆಚ್.ಎನ್ ಇವರು ಗುತ್ತಿಗೆ ಆಧಾರದ ನೇಮಕಾತಿ ಹೊಂದಿ. ಸಹಾಯಕ ಇಂಜಿನಿಯರ್ ಆಗಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುತ್ತಾರೆ. ಇವರ ಗುತ್ತಿಗೆಯ ಅವಧಿಯು 3 ವರ್ಷಗಳಿಗೆ ಸೀಮಿತವಾಗಿದ್ದು, ಗುತ್ತಿಗೆ ಆಧಾರದಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವ ಇವರಿಗೆ ದಿನಾಂಕ: 17-07-2023ರಂದು ಸರ್ಕಾರದ ಆದೇಶ ಕಾರ್ಯದರ್ಶಿ-2, ವಸತಿ ಇಲಾಖೆ ಇವರು ಚಾಮರಾಜನಗರ ಜಿಲ್ಲಾ ನಿರ್ಮಿತಿ ಕೇಂದ್ರದ ಯೋಜನಾ ವ್ಯವಸ್ಥಾಪಕರ ಹುದ್ದೆಗೆ ನಿಯೋಜನೆ ಮಾಡಿರುವುದಾಗಿದೆ (ಪತ್ರದ ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ). ಆದರೆ ಈ ಹಿಂದೆ ಅಂದರೆ ದಿನಾಂಕ: 20-09-2022ರಂದು ಅಂದಿನ ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಹಣಾಧಿಕಾರಿಗಳು, ಕಾರ್ನಿಕ್, ಬೆಂಗಳೂರು ಇವರು ಕಾರ್ನಿಕ್ ಸಂಸ್ಥೆಯಲ್ಲಿ ಸಿಬ್ಬಂದಿಗಳ ಕೊರತೆ ಇರುತ್ತದೆ ಹಾಗೂ ಸದರಿಯವರ ಸೇವೆಯು ಗುತ್ತಿಗೆ ಆಧಾರದ ಮೇಲೆ ಇರುವುದರಿಂದ ನಿಯೋಜನೆ



HC-KAR

NC: 2026:KHC:17477
WP No. 25898 of 2025

ಮಾಡಲು ಸಾಧ್ಯವಿರುವುದಿಲ್ಲ ಎಂದು ಹಾಗೂ ಶ್ರೀಮತಿ ಮಂಜುಳಾ ಇವರನ್ನು ರಾಜ್ಯದ ಯಾವುದೇ ಜಿಲ್ಲೆ ಯೋಜನಾ ವ್ಯವಸ್ಥಾಪಕ/ನಿರ್ದೇಶಕರ ಹುದ್ದೆಗೆ ನಿಯೋಜಿಸಲು ಸಾಧ್ಯವಿಲ್ಲ ಎಂದು ಪತ್ರ ಬರೆದಿರುತ್ತಾರೆ (ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ) ಹಾಗೂ ಚಾಮರಾಜನಗರ ಜಿಲ್ಲಾ ನಿರ್ಮಿತಿ ಕೇಂದ್ರದ ಯೋಜನಾ ವ್ಯವಸ್ಥಾಪಕರ ಹುದ್ದೆಗೆ ಅಂದಿನ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಪತ್ರಿಕಾ ಪ್ರಕಟಣೆ ಹೊರಡಿಸಿದರೂ ಕೂಡಾ ಇವರನ್ನು ಚಾಮರಾಜನಗರ ಜಿಲ್ಲಾ ನಿರ್ಮಿತಿ ಕೇಂದ್ರದ ಯೋಜನಾ ವ್ಯವಸ್ಥಾಪಕರಾಗಿ ನಿಯೋಜಿಸಿರುವುದು ಕಾನೂನು ಬಾಹಿರವಾಗಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಎದ್ದು ಕಾಣುತ್ತದೆ. ತದನಂತರ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಚಾಮರಾಜನಗರ ಜಿಲ್ಲೆ ರವರು ಪತ್ರಿಕಾ ಪ್ರಕಟಣೆಯಂತೆ ಸಂದರ್ಶನ ನಡೆಸಿ ಚಾಮರಾಜನಗರ ಜಿಲ್ಲಾ ನಿರ್ಮಿತಿ ಕೇಂದ್ರದ ಯೋಜನಾ ವ್ಯವಸ್ಥಾಪಕರ ಹುದ್ದೆಗೆ ಕಾನೂನಿನ ಚೌಕಟ್ಟಿನಲ್ಲಿ ಸೂಕ್ತ ಅಭ್ಯರ್ಥಿಯನ್ನು ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡು ಶ್ರೀಮತಿ ಮಂಜುಳಾ ಹೆಚ್.ಎನ್ ಇವರನ್ನು ಕಾರ್ನಿಕ್ ಸಂಸ್ಥೆಗೆ ಹಿಂದಿರುಗಿಸಿರುತ್ತಾರೆ. ಈ ವಿಷಯವಾಗಿ ಶ್ರೀಮತಿ ಮಂಜುಳಾ ಹೆಚ್.ಎನ್ ಇವರು ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು ವಸತಿ ಇಲಾಖೆ, ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಹಣಾಧಿಕಾರಿಗಳು, ಕಾರ್ನಿಕ್ ಹಾಗೂ ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು, ರಾಜೀವ್ ಗಾಂಧಿ ವಸತಿ ನಿಗಮ ನಿಯಮಿತ, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಹಾಗೂ ಅಧ್ಯಕ್ಷರು, ಚಾಮರಾಜನಗರ ಜಿಲ್ಲಾ ನಿರ್ಮಿತಿ ಕೇಂದ್ರ ಇಂತಹ ಉನ್ನತ ಅಧಿಕಾರಿಗಳ ವಿರುದ್ಧ ಮಾನ್ಯ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಉಚ್ಚ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ರಿಟ್ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುವುದು ವಿಷಾದನೀಯ ಹಾಗೂ ಸರ್ಕಾರಕ್ಕೆ ಕಟ್ಟ ಹೆಸರು ಮತ್ತು ಅಗೌರವವನ್ನು ತೊರಿದಿರುತ್ತಾರೆ. ಈ ವಿಷಯ ತಮ್ಮ ಮಾಹಿತಿಗೆ ಬಂದಿರುವುದಿಲ್ಲ (ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ).

ಶ್ರೀಮತಿ ಮಂಜುಳಾ ಹೆಚ್.ಎನ್ ಇವರು ಕಾರ್ನಿಕ್ ಸಂಸ್ಥೆಯಲ್ಲಿನ ಮಾಹಿತಿಗಳನ್ನು ತಿರುಚಿ ಸರ್ಕಾರಕ್ಕೆ ತಪ್ಪು ಮಾಹಿತಿ ನೀಡಿ ಈ ಕೆಳಗಿನಂತೆ ಆದೇಶ ಮಾಡಿಕೊಂಡಿರುತ್ತಾರೆ.

A) ಚಾಮರಾಜನಗರ ಜಿಲ್ಲಾ ನಿರ್ಮಿತಿ ಕೇಂದ್ರದ ಯೋಜನಾ ವ್ಯವಸ್ಥಾಪಕರ ಹುದ್ದೆಗೆ (ದಿನಾಂಕ: 21-05-2020 ರ ಕಛೇರಿ ಆದೇಶ ಪತ್ರದ ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ)

B) ಚಿಕ್ಕಬಳ್ಳಾಪುರ ಜಿಲ್ಲಾ ನಿರ್ಮಿತಿ ಕೇಂದ್ರದ ಯೋಜನಾ ನಿರ್ದೇಶಕರ ಹುದ್ದೆಗೆ (ದಿನಾಂಕ: 11-06-2021ರ ಕಛೇರಿ ಆದೇಶ ಪತ್ರದ ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ)



c) ಚಾಮರಾಜನಗರ ಜಿಲ್ಲಾ ನಿರ್ಮಿತಿ ಕೇಂದ್ರದ ಯೋಜನಾ ವ್ಯವಸ್ಥಾಪಕರ ಹುದ್ದೆಗೆ (ದಿನಾಂಕ: 19-07-2023 ರ ಅಧಿಕೃತ ಜ್ಞಾಪನ ಪತ್ರದ ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ)

D) ಸರ್ಕಾರದ ಮೇಲೆ ಪ್ರಕರಣ WP No: 20687/2023

1. Principal Secretary, Housing Department, Government of Karnataka
2. Chief Executive Officer, MD, Rajiv Gandhi Vasati Nigama. Karnataka Rajya Nirman Kendra.
3. Deputy Commissioner, Chairman Nirmithi Kendra, Chamarajanagar.

ಶ್ರೀಮತಿ ಮಂಜುಳಾ ಹೆಚ್.ಎನ್ ಇವರು ಕಾರ್ನಿಕ್ ಸಂಸ್ಥೆಯಲ್ಲಿನ ದೈನಂದಿನ ಕಾರ್ಯಚಟುವಟಿಕೆಗಳನ್ನು ಸಮರ್ಪಕವಾಗಿ ನಿರ್ವಹಿಸಿದೇ ಕರ್ತವ್ಯಲೋಪವೆಸಗಿರುತ್ತಾರೆ. ಅದಲ್ಲದೇ ಮೇಲಿನಂತೆ ಯೋಜನಾ ವ್ಯವಸ್ಥಾಪಕರು/ ನಿರ್ದೇಶಕರ ಹುದ್ದೆಗೆ ರಾಜ್ಯದ ವಿವಿಧ ಜಿಲ್ಲಾ ನಿರ್ಮಿತಿ ಕೇಂದ್ರಗಳ ಮುಖಾಂತರ ತಾಂತ್ರಿಕ ಮಂಜೂರಾತಿಗೆ ಸಲ್ಲಿಕೆಯಾಗುವ ಪ್ರಸ್ತಾವನೆಗಳಿಗೆ ಆಯಾ ಜಿಲ್ಲೆಗಳ ನಿರ್ಮಿತಿ ಕೇಂದ್ರದ ಇಂಜಿನಿಯರ್‌ಗಳ ಅಂದಾಜು ಪಟ್ಟಿಗಳಿಗೆ ತಾಂತ್ರಿಕ ಮಂಜೂರಾತಿ ನೀಡಲು ಇರುವ ಪ್ರಸ್ತಾವನೆಗಳಿಗೆ ಸಂಬಂಧ ಹೇಳಿ ತಾಂತ್ರಿಕ ಮಂಜೂರಾತಿ ನೀಡಲು ವಿಳಂಬ ಮಾಡಿರುತ್ತಾರೆ. ಇದರಿಂದ ಕಾರ್ನಿಕ್ ಸಂಸ್ಥೆ ಹಾಗೂ ಸಿಬ್ಬಂದಿಗಳಿಗೆ ಮತ್ತು ನಿರ್ಮಿತಿ ಕೇಂದ್ರದ ಸಿಬ್ಬಂದಿಗಳಿಗೆ ಕೆಟ್ಟ ಹೆಸರು ಬಂದಿರುತ್ತದೆ ಇದರಿಂದ ರಾಜ್ಯದ ಜಿಲ್ಲಾ ನಿರ್ಮಿತಿ ಕೇಂದ್ರಗಳ ಕಾರ್ಯಚಟುವಟಿಕೆಗಳಿಗೆ ಅಡ್ಡಿಯಾಗಿರುತ್ತದೆ. ಕಾರ್ನಿಕ್ ಸಂಸ್ಥೆಗೆ ಇಂತವರಿಂದ ಆಗುವ ಅನಾಹುತವನ್ನು ತಡೆಯುವುದು ದಯಾಪರರಾದ ತಮ್ಮಿಂದ ಮಾತ್ರ ಸಾಧ್ಯವೆಂದು ನಂಬಿರುತ್ತೇನೆ. ಈಗಾಗಲೇ ಇವರ ಮೇಲೆ ಅಪಾದನೆಗಳು/ದೂರುಗಳು ಇರುವ ಮೂಲ ಕಡತಗಳನ್ನು ಪಡೆದುಕೊಂಡು ಇವರ ಮೇಲೆ ಸೂಕ್ತ ಕಾನೂನು ಕ್ರಮ ಜರುಗಿಸಲು ಕೋರುತ್ತಾ. ಈ ಮನವಿಯನ್ನು ಪರಿಗಣಿಸಿ ರಾಜ್ಯದಲ್ಲಿ ಉತ್ತಮ ಆಡಳಿತ ನೀಡಲು ಕಾರ್ನಿಕ್ ಸಂಸ್ಥೆ ಮತ್ತು ನಿರ್ಮಿತಿ ಕೇಂದ್ರಗಳ ಹಿತದೃಷ್ಟಿಯಿಂದ ಈ ಬಗ್ಗೆ ಸೂಕ್ತ ತನಿಖೆ ನಡೆಸಿ ಇವರ ವಿರುದ್ಧ ಇಲಾಖೆಯಿಂದ ಸೂಕ್ತ ಕಾನೂನು ಕ್ರಮ ಜರುಗಿಸಿ. ಗುತ್ತಿಗೆ ಆಧಾರದಲ್ಲಿ ಕರ್ತವ್ಯ



ನಿರ್ವಹಿಸುತ್ತಿರುವ ಇವರನ್ನು ಕಾರ್ನಿಕ್ ಸಂಸ್ಥೆಯಿಂದ ವಜಾಗೊಳಿಸಲು ಹಾಗೂ ಆ
ಸ್ಥಾನಕ್ಕೆ ಸೂಕ್ತ ಅರ್ಹ ಅಭ್ಯರ್ಥಿಯನ್ನು ನೇಮಕ ಮಾಡಲು ಈ ಮೂಲಕ
ಕೋರಲಾಗಿದೆ.”

6. Upon careful examination of the material on record, this Court unequivocally finds that withdrawal of deputation order is in gross violation of principles of natural justice. Essentially, natural justice requires that a person receives a fair and unbiased hearing before a decision is made that will negatively affect the party. The three main requirements of natural justice that must be made in every case are: adequate notice, fair hearing and no bias.

7. The respondents contention that complaint have been lodged against the petitioner cannot serve as a valid ground for the withdrawal of deputation order in absence of due process. Even if it is a deputation order, the essence of justice necessitates that allegations be substantiated through a fair and transparent adjudicatory process.

8. Petitioner initially deputed to respondent No.3-Nirmithi Kendra has contested the appointment of another candidate to the post to which she was deputed. Upon judicial review, this Court has duly set aside the appointment and respondent No.3 is directed to reinstate the petitioner to her former position.

9. The pivotal question before this Court pertains to how compliance with High Court directive vis-à-vis withdrawal of deputation order at the instance of MLA's recommendation.

10. Having regard to the facts on hand, this Court must address validity of MLA's influence in the decision making process, particularly recommendation by the MLA to remove petitioner from service. The respondent No.1, however, has found out a way to implement the dictate of MLA by



withdrawing the deputation order. The recommendation of MLA as evident from the letter vide Annexure-H and the portion which is culled out supra, is a clear influence of the MLA on the decision to withdraw the deputation order. There are no valid grounds for withdrawing the deputation order. The petitioner's exercise of her legal right to approach the High Court cannot be considered as malice of Government or department. It is fundamental right of every individual to seek legal redressal where they plea that their rights have been violated.

11. This factual matrix is admitted by Additional Advocate General. He has fairly conceded that petitioner had every right to approach this Court in earlier round of litigation. Since the impugned order withdrawing the deputation is tainted with malafides which is tangible from the material on record, withdrawal of deputation order is invalid and is clearly in violation of the direction issued by this Court as per Annexure-G. The influence of MLA on decision making process is deemed irrelevant and unjustified.

12. Learned counsel for respondent No.2 had moved this matter indicating that interim order granted by this Court has turned out to be an impediment to make permanent appointment by initiating fresh recruitment process. Based on her statement, this matter was taken up for early hearing out of turn. This Court has taken cognizance of the interim order granted by this Court. This Court has not stalled the recruitment process. This Court had only stayed execution and operation of Annexure-J under which the respondent No.1 had withdrawn the deputation order and petitioner was repatriated to respondent No.2-parent Society. If respondent No.3 intends to fill up vacant post through proper recruitment process, there was no impediment for respondent No.3. However, under the garb of initiating recruitment process, petitioner cannot be displaced. In the event, proper recruitment process is conducted and a candidate having prescribed eligibility and qualification is appointed, petitioner who is on deputation would obviously lose her right to hold the post of Project Manager.



13. With these observations, this Court proceeds to pass the following:

ORDER

(i) The writ petition is allowed;

(ii) The impugned letter of direction dated 08.11.2023 issued by respondent No.1 vide Annexure-J is hereby quashed;

(iii) The respondent No.3 is hereby directed to continue the services of the petitioner in the present place until she completes her tenure of two years or a permanent appointment is made through proper recruitment process;

(iv) Pending I.As., if any, does not survive for consideration and stands disposed of."

5. Subsequent to this Court passing the aforesaid order and even before the expiry of two years as directed by this Court, which was due to expire on 12.10.2025, respondent No.3 passed a resolution, to which, the Director of respondent No.2 was a party dated 22.01.2025 which is relied upon by the petitioner for the purpose of contending that the petitioner was directed to be absorbed into services of respondent No.3/Nirmiti Kendra. Subsequently, on 28.07.2025, respondent No.2 passed the impugned order purporting to retract/withdraw the deputation of the petitioner even before the expiry of the term of deputation which was due to expire on 12.10.2025.



6. Under these circumstances, the petitioner approached this Court by way of the present petition, in which this Court passed an interim order dated 23.08.2025 staying the impugned order till 12.10.2025 and directed the matter to be listed on 13.10.2025. However, on that day on 13.10.2025, this Court declined to extend the interim order on the ground that the term of deputation of the petitioner had expired as on 12.10.2025. Under these circumstances, the petitioner approached the Division Bench, which dismissed the Writ Appeal in WA No.1752/2025 vide final Order dated 29.10.2025.

7. Subsequent to the disposal of the WA No.1752/2025 dated 29.10.2025, respondent No.3 has passed one more resolution dated 11.11.2025 giving effect for the purpose of giving effect to the orders passed by the Division bench in the Writ Appeal.

8. A perusal of the aforesaid facts and circumstances and the impugned order at Annexure - H1 passed by respondent Nos.2 and 4, the impugned order at Annexure - J passed by respondent No. 3 - Nirmiti Kendra and the subsequent resolution dated 11.11.2025 passed by the respondent No.3 will clearly indicate that



insofar as it relates to petitioner is concerned, is sufficient to come to the conclusion that the resolution of respondent No.3 - Nirmiti Kendra dated 22.01.2025, to which, the Director of respondent No.2 and 4 - KARNIC is a party has not been taken into account nor its impact has been considered by the respondent Nos.2 to 4 while passing the impugned orders and resolution.

9. Under these circumstances, I deemed it just and appropriate to set aside the communication at Annexure - J, as well as subsequent resolution dated 11.11.2025 insofar as it relates to the petitioner and direct respondent No.3 to the consider the claim of the petitioner in accordance with law, bearing in mind the resolution at Annexure - H dated 22.01.2025 within a stipulated time frame.

ORDER

- (i) The petition is hereby ***partly allowed***.
- (ii) The impugned order at Annexure-J dated 16.08.2025 issued by respondent No.3 and subsequent resolution dated 11.11.2025 are hereby quashed.



- (iii) The challenge to Annexure H1 has been rendered infructuous in view of disposal of the present petition.
- (iv) The petitioner is directed to appear before respondent No.3 / the duly designated Committee on 15.04.2026.
- (v) Respondent Nos.2 and 4 shall issue necessary permission / no objection for the petitioner to appear before respondent No.3 on 15.04.2026 and liberty is reserved in favour of petitioner to file pleadings, documents etc., which shall be considered by the respondent No.3/the duly designated Committee, which shall take appropriate decision/pass appropriate orders as regards the claim of the petitioner for absorption into services of the respondent No.3 - Nirmiti Kendra bearing in mind Annexure - H dated 22.01.2025 in accordance with law within a period of three weeks, i.e., on or before 30.05.2026.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE

BH
List No.: 1 SI No.: 59