

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/12/2021

HYDERABAD, this the 27th day of January, 2021



**Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member**

Dr. Sarvani Vaddi,
D/o. Dr. V.C.S. Rayudu,
Aged about 47 years,
Occ: Assistant Professor,
Department of Fashion Design,
National Institute of Fashion Technology,
Opp: Hi-tech City, Madapur,
Hyderabad – 500 081,
R/o. H.No. 108, Venkateswara Arcade,
Motinagar, Hyderabad – 500 018.

...Applicant

(By Advocate : B. Pavan Kumar for Dr. A. Raghu Kumar)

Vs.

1. Union of India rep. by its
Secretary, Ministry of Textiles,
Udyog Bhavan, New Delhi.
2. The Director General,
National Institute of Fashion Technology,
Hauz Khas, New Delhi.
3. The Director,
National Institute of Fashion Technology,
NIFT Campus, Opp: Hi-tech City,
Madhapur, Hyderabad – 500 081.

...Respondents

(By Advocate : Smt K. Rajitha, Sr. CGSC)

ORAL ORDER
(Hon'ble Mr. B.V. Sudhakar, Admn. Member)

Through Video Conferencing:

2. The OA is filed challenging the order dated 22.6.2020 proposing not to recommend the extension of the contract of the applicant and the order dated 3.8.2020 discharging her while her juniors were continued.



3. Brief facts of the case are that the applicant was engaged by the respondents organisation as Guest Faculty on 15.1.2003 with a consolidated honorarium of Rs.10,000/- per month. Later, she was appointed as Assistant Professor on 25.7.2003 in the scale of pay of Rs.8000-13500 as per relevant rules. However, her services were terminated in October 2005 while she was preparing for her doctorate. Respondents again engaged her as Asst. Professor on 15.2.2008 after due selection process for a period of 3 years with pay on par with the regular employees. Thereafter, her employment contract was extended in different spells up to 30.6.2020. Respondents took up the exercise of regularising the services of Asst. Professors by filling up 102 available vacancies and the applicant was eligible since she had Ph.D. and the years of service required. Unfortunately, applicant was not considered but was assured that she will be considered later by the Head of the Institution. An OM dated 12.11.2018 was released for appointment to the post of Professor for which applicant was eligible, but was not considered. Juniors and colleagues who were ineligible, their services were regularized, but not that of the applicant. Instead of regularising her services, respondents have discharged the applicant from service w.e.f.

30.6.2020 vide Memo dated 3.8.2020. Applicant represented on 22.6.2020 and 28.10.2020 which are yet to be disposed. Hence, the OA.



4. The contentions of the applicant is that she has rendered 17 years of service without any adverse remark. Her APARs stand testimony to the same. Though well qualified in terms of possessing the Ph.D. and the years of experience to be regularised, she was sidelined for reasons other than professional. Principles of Natural Justice were not followed in discharging her from service. Representations submitted have not been disposed.

5. Heard both the counsel and perused the pleadings on record.

6. I. The dispute is about not regularising the services of the applicant working as Asst. Professor on contract basis for as many as 17 years with a record of service which is claimed to be blemish-less. The applicant has done Ph.D. and has the required years of service to be regularised. It is alleged that juniors and those who do not have the required qualifications have been regularised. *Defacto*, those who have been irregularly regularised were scrutinizing her case for regularization, which she laments, would not in any way render justice to her. Representations made on 22.6.2020 and 28.2020 were not disposed till date.

II. Generally, the minimum that is expected of the respondents is to dispose of the representations in accordance with rules. Nevertheless, since they have not done, they are directed to dispose of the representations cited within a period of 4 weeks from the date of receipt of this order by

issuing a speaking and reasoned order in accordance with rules/ law and by keeping in view the contentions raised in the OA. Liberty is granted to the applicant to approach the Tribunal, if the grievance persists even after the disposal of the representations.



III. With the above direction, the OA is disposed of, with no order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/evr/