Sr. No. 163

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 3070/2024

Swati Goel …. Petitioner/Appellant(s)

Through:- Mr. Mohit Gupta, Advocate

V/s

Indian Institute of Technology Jammu and others …..Respondent(s)

Through:- Mr. Pawan Kr. Hans, Advocate

CORAM: HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE

ORDER
30.12.2024

1. Petitioner, through the medium of this petition, seeks quashing of communication dated 01.12.2024, regarding discontinuation of her services as Project Associate in Competency Development Program Telecom. The services of the petitioner, vide the impugned communication, were discontinued w.e.f. 01.12.2024, due to violation of conflict of interest guidelines by the Consultancy Incharge during the screening and selection process of her candidature.
2. Learned counsel appearing for the petitioner has submitted that as per the guidelines, the respondents have failed to provide one month notice period before such termination.
3. Mr. Pawan Kr. Hans, learned counsel appearing for the respondents submits that the competent authority has amended the impugned communication providing one month notice period, effective from 27.12.2024 to 26.01.2025. It is also submitted that in terms of the

statutes of NIT, Clause 22 provides for an appeal, which reads as under: -

> "22. Appeal
> A member of the staff aggrieved by any order imposing penalty passed by the Director shall be entitled to prefer an Appeal to the Board against the order. A member of the staff aggrieved by any order passed by the Board against him inflicting a penalty on him shall be entitled to prefer an Appeal to the Visitor against the order."

4. In view of the aforesaid, the petitioner is at liberty to approach the respondents to avail the remedy of filing an appeal. With the consent of both the parties, the petition is disposed of with the direction that the petitioner shall file an appeal during the course of this week, and respondents shall decide the same expeditiously, in accordance with law. Till such time the appeal is decided, the petitioner is allowed to continue with her services.

5. **Disposed of.**

(SINDHU SHARMA)
JUDGE

Jammu:
30.12.2024
Vishal