

ITEM NO.2 Court 14 (Video Conferencing) SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 3533/2020

(Arising out of impugned final judgment and order dated 25-11-2019 in WA No. 3783/2019 passed by the High Court Of Judicature At Madras)

KAUSHIK GHOSH

Petitioner(s)

VERSUS

THE MANAGER (ADMINISTRATION AND PERSONNEL)

FOOTWEAR DESIGN AND DEVELOPMENT INSTITUTE & ANR.

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 22-11-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI

HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Ratnakar Dash, Sr.Adv.
 Mr. K.M.Vijayan, Sr.Adv.
 Mr. G.Sivabalamurugan, AOR

For Respondent(s) Mr. R.Venkataramni, Sr. Adv
 Mr. Binay Kumar, Adv
 Mr. Smarhar Singh, AOR

UPON hearing the counsel the Court made the following
O R D E R

The petitioner's service is admittedly governed by Footwear Design And Development Institute (FDDI), General Service Rules and it provides four different methods of recruitment to the posts under the Institute as reflected from Section 2 Para 8 including (1)(iv) of the Rules. Admittedly, the petitioner was appointed by the Managing Director on specific contract to the post of Chief Technologist in terms of his service conditions governed by the service contract dated 22nd December, 2008 duly executed by the

parties. On completion of his period of prohibition, he was confirmed by an order dated 08.01.2010 and in terms of the service contract, it was extended upto 31.03.2018.

The contract of service was earlier terminated by an order dated 07.02.2017 and that was found to be arbitrary and violative of Article 311(2) of the Constitution. The Division Bench under the impugned judgment although held the termination of the petitioner by order dated 07.02.2017 to be bad and in violation of Article 311(2) of the Constitution and directed the respondents to pay all the admissible emoluments upto the term of contract of service which was to expire on 31.03.2018.

We have heard learned senior counsel appearing for the parties for quite some time and find no reason to interfere in the order impugned passed by the Division Bench of the High Court.

Accordingly, the Special Leave Petition is dismissed.

Pending application(s), if any, shall stand disposed of.

(NIRMALA NEGI)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)