

Central Administrative Tribunal
Principal Bench

O.A. No. 583 of 2000

New Delhi, dated this the 24th October, 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Kanwar Singh,
S/o Shri Nathu Ram,
EDBPM,
V & P.O. - Barkoda,
Via Narnaul, Haryana. .. Applicant

(By Advocate: Shri M.K. Gaur)

Versus

1. Union of India through
Secretary,
Dept. of Posts,
Ministry of Communications,
Dak Bhawan, Parliament Street,
New Delhi-110001.
2. The Chief Postmaster General,
Haryana Circle,
Ambala-133001.
3. The Sr. Supdt. of Post Offices,
Gurgaon Division,
Gurgaon.
4. The Asst. Supdt. of Post Offices,
Narnaul Sub Division,
Narnaul. .. Respondents

(None appeared)

ORDER (Oral)

MR. S.R. ADIGE, VC (A)

Applicant impugns Respondents' orders dated 14.12.1999 (Annexure A/1) and seeks a direction to Respondents to allow him to continue as EDBPM, Barkoda.

2. We have heard applicant's counsel Shri M.K. Gaur. Dept. Repr. Shri V.K. Raizada appeared for respondents and has been heard.

3. We note that applicant submitted his resignation from service on 7.10.99 (Annexure R/1). In this resignation letter he stated that he was submitting the same on his own free will and was resigning because of domestic circumstances. The aforesaid resignation letter dated 7.10.99, did not specifically state[?] that resignation should be effective from any future date.

4. The aforesaid resignation was accepted by the Respondents vide order dated 14.12.99 (Annexure A/1).

5. Thereupon after the aforesaid order dated 14.12.99 was passed accepting applicant's unconditional resignation letter dated 7.10.99, applicant's counsel states that applicant had submitted a petition for withdrawal of the aforesaid resignation letter. Copy of that petition has not been filed^{^ but} copy of the postal receipt dated 20.12.99 stated to be sent to respondents has been annexed which is at Annexure A/3 which was followed by further representation from him dated 14.1.2000 (Annexure A/4), withdrawing his resignation.

6. We find ~~that~~ no irregularity or infirmity[?] in the impugned order dated 14.12.99 accepting applicant's unconditional resignation letter dated 7.10.99 with immediate effect, because as per

7

applicant's own averments. he made a prayer for withdrawal of his resignation ^{only} after the Respondents' order dated 14.12.99 *accepting the same.*

7. Under the circumstances the O.A. warrants no judicial interference.

8. However, this order will not preclude respondents themselves from considering applicant's prayer for withdrawal of his resignation letter, and reinstating him as EDBPM if they ^{are} so disposed to do so.

9. The O.A. is disposed of accordingly. No costs.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

S.R. Adige
(S.R. Adige)
Vice Chairman (A)

'gk'