

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the **23rd** day of **September** 2020

Original Application No. 330/00483/2020

Hon'ble Justice Mrs. Vijay Lakshmi, Member (J)
Hon'ble Mr. Navin Tandon, Member (A)

Parul Bhauguna, D/o Shri Rajendra Prasad Bahuguna, R/o House No. 263, Maliyana Road, Opposite Sugar Mill Gate, Meerut – 250001.

. . .Applicant

By Adv : Shri Saurabh

V E R S U S

1. Bharat Sanchar Nigam Limited (East) through Chairman-cum-Managing Director, B.S.N.L., Corporate Office, Sanchar Sadan, New Delhi – 110001.
2. Principal General Manager, B.S.N.L., Corporate Office, Sanchar Sadan New Delhi – 110001.
3. Chief General Manager (T), U.P. (West) Circle, Shastari Nagar, Meerut – 250001.
4. Dy. General Manager (HR/Admn), Chief General Manager (T), U.P. (West) Circle, Shastari Nagar, Meerut – 250001

. . .Respondents

By Adv: Shri R.C. Shukla.

O R D E R

By Hon'ble Justice Mrs. Vijay Lakshmi, Member (J)

We have joined this Division Bench online through Video Conferencing facility.

2. Shri Saurabh, learned counsel for the applicant is present online.
Shri R.C. Shukla, Advocate, who has received advance notice on behalf of respondents, is present in court.

3. The applicant was appointed on the post of Junior Technical Officer in BSNL (East) on 25.09.2010. However, under some compelling

circumstances the applicant submitted her resignation on 15.05.2018. The resignation was accepted by the office on 17.08.2018.

4. Unfortunately, the marital relation of the applicant with her husband got estranged and a mutual divorce took place between them. Thereafter, the applicant decided to withdraw her resignation and moved an application for said propose which, according to the applicant, was received in the office of the respondents on 31.10.2018 i.e. within 90 days from the acceptance of resignation.

However, the applicant received a letter on 21.08.2019 whereby she was informed that her request for cancellation of resignation and re-joining the BSNL has been received in the office after expire of 90 days.

5. Learned counsel for the applicant submitted that in the aforesaid letter, nowhere it is mentioned that her request has been rejected by the respondents, that is why , the applicant has not impugned it in the OA. The grievances of the applicant is that the matter is pending consideration before the respondents since long and no order has been passed so far.

6. In this regard, our attention has been drawn to the letter dated 16.04.2020 to show that in reply to the reminder sent by the applicant, the Assistant General Manager (HR) has informed that her case has been sent to the BSNL corporate office on 04.05.2019 for consideration. However, the office has not yet received any approval from BSNL corporate office till date.

7. While drawing our attention to the office memorandum dated 10.06.2019, which has been annexed as Annexure A-14 in the OA, Id. counsel for the applicant has submitted that the appointing authority has

been authorized to permit a person to withdraw the resignation with certain condition and the applicant will be satisfied if a direction is issued to the competent authority among the respondents to consider her prayer and to pass order with in a stipulated time.

8. In view of above, no purpose is going to be served in keeping this OA pending and with the consent of learned counsel for both the parties this OA is disposed of at the admission stage, with the direction to the competent authority amongst the respondents to consider the case of the applicant for withdrawal of her resignation sympathetically and to pass a reasoned and speaking order in accordance with law within a period of two months from the date of receipt of certified copy of this order.

9. With the above direction, this OA is disposed of.

10. There is no order as to costs.

11. It is made clear that we have not expressed any opinion on merits of the case.

12. Hon'ble Shri Navin Tandon, Member (Administrative) has consented to this order through Video Conferencing.

(Navin Tandon)
Member (A)

(Justice Vijay Lakshmi)
Member (J)

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