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OA, 646/96.




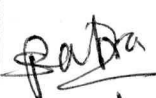

Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
	03 <sup>04</sup> / <sub>02</sub>	<p>At the instance of learned Counsel for the petitioner matter is adjourned to 09.04.02</p> <p><i>[Signature]</i> Member(J).</p> <p><u>9.4.2002</u> Heard Shri G.K. Mishra, the learned Counsel for the Applicant and Shri A.K. Bose, Learned Senior Standing Counsel appearing on behalf of the Respondents.</p> <p>The applicant tendered resignation on 01.06.1996 from the post of E.D.B.P.M., Tulsipal B.O. which was accepted on 03.06.1996 and the applicant was relieved on 06.04.1996. In a connected Writ Application, the applicant disclosed before the Hon'ble High Court to have <del>been</del> resigned from the post of EDBPM on an earlier occasion, as a consequence of which he was allowed to continue in another service in the post of Secretary of the Local Gram Panchayat. That being the position, in the instant case, the attempt of the Applicant to withdraw the resignation in question on a hypertechnical ground that Respondent No.5 was incompetent to accept the resignation and that Respondent No.4 was competent to accept the resignation would not be allowed</p> <p><i>[Signature]</i></p>	

6

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O.A. 646/96

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Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
		<p>to stand; especially because, the applicant did not repent to withdraw the resignation before its acceptance and because he took the advantage from the Hon'ble Court, in an earlier occasion, to continue in the post of Panchayat Secretary of the local Gram Panchayat on the ground that he had already resigned from the post of EDBPM.</p> <p>In the aforesaid premises this O.A is dismissed being devoid of any merit.</p> <p>No costs.</p> <p>In view of dismissal of the O.A., M.A.868/99 is held to be without any merit and the same is, therefore, rejected.</p> <p style="text-align: right;">             9.4.2002            Member (J)         </p>	<p>M.A. 344/94 has been filed for appropriate order counter filed. Copy not sent.</p> <p>23/6/97 Bench.</p> <p>For hearing with M.A. 868/99 for production of records.</p> <p> 2/4 Bench</p> <p>For hearing with M.A. 868/99 for production of records.</p> <p> 8/4 Bench</p> <p>Free copy of the order dt. 9.4.02 given to the 50th Counsel.</p> <p> 30/4</p> <p style="text-align: right;">             30/4            S.O         </p>