

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No.594/2011

Date of decision:21.12.2011

HON'BLE Dr. K.B. SURESH, JUDICIAL MEMBER,

Inderpal Kaswan, aged about 27 years, S/o Shri Hari Ram Kaswan, by caste Jat, R/o village Ramkan, Post Noyalakhi, Tehsil Rawatsar, District Hanumangarh (Raj.).

: Applicant

None present for applicant.

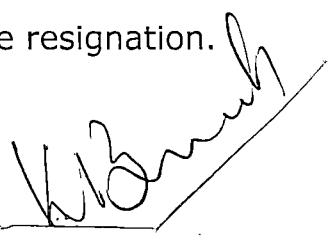
Versus

1. Union of India through the Secretary, Department of Home, India, New Delhi.
2. The Director General, C.R.P.F. (Medical Branch), opposite C.G.H.S. Dispensary, Sector IV Pushp Vihar, New Delhi.
3. The D.I.G.P. (Medical) group centre C.R.P.F., P.O. Kartarpur, District Jallandhar (Punjab).

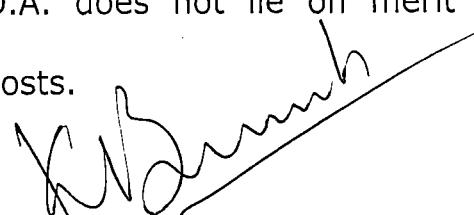
.....Respondents

ORDER (ORAL)

The applicant seeks to withdraw his resignation on the grounds that he had resigned due to compelling personal reasons, and, therefore, the same compulsion exists for respondents as well. On receipt of the resignation, it would appear that the respondents suitably advised him about the unemployment problems in India and financial loss he may suffer in this regard. Therefore, it appears that all necessary advice were given to the applicant and given a chance also for him to withdraw the resignation at this stage, and only on the compulsion of the applicant that they have accepted the resignation.



2. The respondents stand, it appears through the order passed by them, is that his appointment is temporary in nature, and, therefore, there is no question of any withdrawal of resignation for a temporary appointment. While the laws of the land allow any person serving in a Government employment to resign it is based on choice exercised by him, and after having exercised that choice he is bound by the Rules of estoppel unless sufficient reasons exists for it to be interdicted. Even the pleadings of the applicant that his mother was unwell and therefore he had to resign from the service and that in the case of a permanent employee a choice exists for the respondents to allow withdrawal of the resignation also is not sufficient enough to interdict the choice, which the applicant had already made. The stand of the respondents are correct. Therefore, the O.A. does not lie on merit and it is dismissed. No order as to costs.



[Dr. K.B. Suresh]
Judicial Member