

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 2 MAR 1989

APPLICATION NO (S) 1783 / 88(F)

W.P. NO (S) _____

Applicant (s)

Respondent (s)

Shri G.A. Venugopal
To

V/s Deputy Director, Regional Reference Standard
Laboratory, Dept of Civil Supplies, Bangalore
& 2 Ors

1. Shri G.A. Venugopal
79/1, Near Srirameswara
Gavipuram
Bangalore - 560 019
2. Shri A. Lakshminarayana
Advocate
No. 1, II Floor
SSB Mutt Building
K.G. Circle
Bangalore - 560 009
3. The Deputy Director
Regional Reference Standard Laboratory
Department of Civil Supplies
Govt. of India
78/41, Magadi Road
Bangalore - 560 023
4. The Under Secretary
Establishment - II
Ministry of Food & Civil Supplies
Department of Civil Supplies
Shastri Bhavan
New Delhi - 110 001
5. The Director
Weights & Measures
12-A, Jannagar House
Shahjahan Road
New Delhi - 110 011
6. Shri M. Vasudeva Rao
Central Govt. Stng Counsel
High Court Building
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/~~STAY~~/INTERIM ORDER
passed by this Tribunal in the above said application(s) on 23-2-89.

[Signature]
DEPUTY REGISTRAR
(JUDICIAL)

[Signature]
Encl : As above

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH; BANGALORE

DATED THIS THE 23RD DAY OF FEBRUARY, 1989

PRESENT: HON'BLE SHRI JUSTICE K.S. PUTTASWAMY ...VICE-CHAIRMAN
HON'BLE SHRI L.H.A. REGO ...MEMBER (A)

APPLICATION NO. 1783/88

1. G.A. Venugopal,
S/o G. Adi Ramaiah,
aged 26 years,
working as L.D.C.,
Office of Deputy Director,
Regional Reference Standard
Laboratory, Department of
Civil Supplies,
Government of India,
78/41, Magadi Road,
Bangalore-23.

...APPLICANT

(Shri A. Lakshminarayan.....Advocate)

vs.

1. Deputy Director,
Regional Reference Standard
Laboratory, Department of
Civil Supplies, Government of India,
78/41, Magadi Road, Bangalore-23.
2. Department of Civil Supplies,
Union of India, Represented by
Under Secretary, Establishment-II,
Shastri Bhavan, New Delhi-1.
3. Director,
Weights and Measures,
12-A, Jamnagar House,
Shahajahan Road, New Delhi-11.

... RESPONDENTS

(Shri M. Vasudeva Rao.....Advocate)

This application having come up for hearing
before this Tribunal to-day, Hon'ble Shri Justice K.S.
Puttaswamy, Vice-Chairman, made the following :-

ORDER

This is an application made by the applicant under Section 19 of the Administrative Tribunals Act, 1985.

2. Shri C.A. Venugopal the applicant before us with educational qualification of B.Com. joined service as a Lower Division Clerk (LDC) on 7.1.1987 in the office of Respondent No.1 and was working in that capacity ever since then. On 31.10.1988 the applicant tendered resignation to the said post from that very day, which respondent No.1 accepted and relieved him on that very day. But in this application made on 31-10-1988 itself, the applicant has sought for a direction to continue his services on the plea that the resignation tendered by him was not voluntary and had been obtained under undue influence and coercion.

3. In their reply, the respondents denying the allegations of the applicant have asserted that the resignation tendered by the applicant was voluntary.

4. Shri A. Lakshminarayan, learned counsel for the applicant contends that the resignation tendered by his client was not voluntary and had been obtained by respondent No.1 under undue influence and coercion and the same cannot therefore be acted upon.

5. Shri M. Vasudeva Rao, learned Additional Standing Counsel appearing for the respondents contends that it is too much to state that the resignation of the applicant was not voluntary and that respondent No.1 would go to the extent of procuring his resignation under undue influence and coercion.

6. The resignation addressed by the applicant to respondent No.1 on 31.10.1988 has been signed by the applicant. He does not deny his signature on the letter addressed by him. If that is so then, it is too much for the applicant to state that respondent No.1, a senior officer of Government of India would secure his resignation under undue influence and coercion. We have no reason to doubt the responsible statement of respondent No.1 on the voluntary nature of the resignation tendered by the applicant.

7. When the applicant had voluntarily tendered his resignation as earlier found by us and the same had been accepted by the appointing authority, then no other question will arise for our examination.

8. In the light of our above discussion we hold that this application is liable to be dismissed. We, therefore, dismiss this application. But in the circumstances of the case, we direct the parties to bear their own costs.



TRUE COPY

DEPUTY REGISTRAR (J)

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

VICE-CHAIRMAN

8d

MEMBER (A)