

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
BANGALORE- 560 038.

Dated: 2 DEC 1994

APPLICATION NO: 1668 of 1994.

APPLICANTS:- Dr.K.H.Ramanjaneya,

V/S.

RESPONDENTS:- Secretary, Ministry of Agriculture, N Delhi  
and two others.

To

1.

Sri.P.T.Sreenivasa Reddy, Advocate,  
No.112, Upstairs, Cubbonpet, Bangalore-2.

Subject:- Forwarding of copies of the Orders passed by the  
Central Administrative Tribunal, Bangalore.

--xx--

Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/ passed by this Tribunal in the above  
mentioned application(s) on 16-11-1994.

gm\*

copy

ok  
Issued on 2/12/94

for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION No.1668/1994

WEDNESDAY, THIS THE 16TH DAY OF NOVEMBER, 1994

SHRI JUSTICE P.K. SHYAMSUNDAR .. VICE CHAIRMAN

SHRI T.V. RAMANAN .. MEMBER (A)

Dr. K.H. Ramanjaneya,  
S/o Katta Hanumanthappa,  
aged 38 years, 84 UAS Layout,  
Sanjaynagar, Bangalore-24. ... Applicant

(By Advocate Shri P.T. Sreenivasa Reddy)

Vs.

1. Union of India  
represented by its Secretary,  
Ministry of Agriculture,  
Krishi Bhavan, Dr. Rajendraprasad Road,  
New Delhi - 110 001.
2. Indian Council of Agricultural Research,  
Krishi Bhavan, Dr. Rajendraprasad Road,  
New Delhi - 110 001.  
represented by its Director.
3. Indian Institute of Horticultural  
Research Station,  
255, Upper Palace Orchard,  
Bangalore - 80, by its Director. ... Respondents

ORDER

Shri Justice P.K. Shyamsundar, Vice Chairman :

We have heard Shri Reddy for the applicant in this case in which the grievance made is that because of some service constraints operating in the department of the applicant, he had to tender resignation to the post he held in the Indian Institute of Horticultural Research in Bangalore, but the Govt. had unjustly declined to accept the resignation. It is also urged that on the other hand, they had filed a suit in the Court of the Civil Judge at Bangalore, seeking for a decree against the applicant in regard

to the expenditure incurred by the State for getting the applicant trained abroad. Shri Reddy tells us that the amount sought to be recovered from his client is about Rs.98,000/-.

2. We, however, are not concerned with the same. Recovery is a different issue. But, counsel is now on the ground of the omission of the department to accept his client's resignation. Well, a resignation does not become effective unless it is accepted by the employer, but the employer may or may not accept a resignation which may again be subject to the terms and conditions of the employee's services.

3. Herein, it is clear that the applicant had gone abroad as a nominee of the Union Govt. and had the benefit of extensive training at the cost of the country. In return, he had admittedly executed a bond in the value of Rs.98,006/- and we are told the undertaking further was that the applicant had to mandatorily serve the government for a limited period after return from training abroad. It is not denied and what is more it is admitted that the applicant had not till today, served the term he is obliged to serve in lieu of the training obtained abroad at the cost of the Govt.

4. As a matter of fact, the premature resignation from Govt. service is what the Govt. possibly objects to and more so, when the applicant is seeking to get away without paying back the expenditure incurred on his behalf in regard to his training abroad. That becomes very clear from the step taken by the Govt. in seeking to enforce to claim for recovery against him in the civil suit which is admittedly pending decision in the Additional City Civil Court, Bangalore. As could be seen from the copy of the summons produced at Annexure-A4. The position, therefore, is the applicant cannot depart until he pays back whatever is due to Govt. and therefore his claim that the resignation should have been accepted

And what is  
without more,, alleging he had resigned because some service  
conditions were altered, <sup>cannot be accepted.</sup> We do not wish to venture any opinion  
in that regard. All that we must observe now is that the  
applicant will be free to depart provided he pays back the Govt.  
whatever is due to the Govt. and as a matter of fact, the dues  
having been crystallised and a suit has been filed, he cannot  
foreclose the state's opinion by seeking to wriggle out of his  
contract and obligation.

5. We, therefore, see no merit in this application. In  
view of this, this application stands dismissed.

6. The disposal of this application will not come in the  
way of urging whatever defences are open to be availed off in  
this connection.

Sd-  
*rmr*  
( T.V. RAMANAN )  
MEMBER (A)

Sd-  
*u* *u*  
(P.K.SHYAMSUNDAR)  
VICE CHAIRMAN



TRUE COPY  
*[Signature]*  
Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore