

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION No. 397/97

Date of Decision: 13-10-97

C S J Krishnan

Petitioner/s

Mr. J L Daga

Advocate for the
Petitioner/s

V/s.

UOI & Ors.

Respondent/s

Mr. V. D. Vachhawkar for
Mr. M I Sethna,

Advocate for the
Respondent/s

CORAM:

Hon'ble Shri R.G. Vaidyanatha, V.C.

Hon'ble Shri M.E. Kolhatkar, Member (A)

- (1) To be referred to the Reporter or not? ~~~
- (2) Whether it needs to be circulated to
other Benches of the Tribunal? ~~~

R. G. Vaidyanatha

V.C.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING No.6
PRESCOT ROAD, MUMBAI-400001

O.A.No. 397/97

DATED : 13.10.1997

CORAM : Hon. Shri Justice R G Vaidyanatha, V.C.
Hon. Shri M.R. Kolhatkar, Member(A)

C.S.J. Krishnan
C/o. Mr. J L Daga
B-104 Bellerina
Lokhandwala Complex
Andheri (W)
Mumbai 400053
(By Adv. Mr. J L Daga)

..Applicant

Vs.

1. Union of India
through the Secretary
Ministry of Finance
New Delhi
2. Chairman
Central Board of Direct Taxes
Ministry of Finance
North Block
New Delhi

(By Adv. Mr. V D Vadhawkar, for
Mr. M I Sethna,
Senior Standing Counsel)

..Respondents

OPEN COURT ORDER

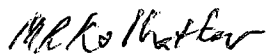
[Per: R G Vaidyanatha, Vice Chairman]

1. This is an application under section 19 of the Administrative Tribunals Act, 1985. The learned counsel opposes the application. Heard both the sides. The applicant was working as Assistant Commissioner of Income Tax in the Indian Revenue Services. He resigned his job which was accepted by the department on 31.3.1994. Thereafter some correspondence took place regarding the withdrawal of the applicant's resignation. The applicant has prayed in this application for a direction to allow

to withdraw his resignation letter and for a direction to reinstate him as Assistant Income Tax Commissioner, Mumbai and grant all consequential benefits.

2. After hearing both the sides, we do not find any merit in the present O.A. There is no question of any irregularity or illegality committed by the respondents. The applicant on his own admission had given the resignation voluntarily and the same has been accepted by the respondents and the applicant has been relieved of his post. Now after three years it is not open for the applicant to challenge the acceptance of his resignation. The applicant had brilliant academic record and due to depression he submitted his resignation is no ground for approaching this Tribunal for recalling his own resignation letter. No provision of law existing for withdrawal of resignation which has been submitted voluntarily. Hence in our view there is no merit in the O.A. and the same is rejected.

3. In the result the application fails and the application rejected summarily at the admission stage itself. No costs.



(M.R. Kolhatkar)

Member (A)



(R.G. Vaidyanatha)

Vice Chairman