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CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH : GUWAHATI-5

O.A. No. 91 of 1997

Date of decision 26.6.97

Shri Bhogeswar Hazarika

PETITIONER(S)

S/Shri R.P.Sharma, A.K.Roy,  
R.Das, S.D.Roy.

ADVOCATE FOR THE  
PETITIONER(S)

VERSUS

Union of India & Ors.

RESPONDENT(S)

Mr. S.Ali, Sr. C.G.S.C.

ADVOCATE FOR THE  
RESPONDENT(S)

THE HON'BLE JUSTICE SHRI D.N.BARUAH, VICE-CHAIRMAN.

THE HON'BLE SHRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether the Judgement is to be circulated to the other Benches?

Judgement delivered by Hon'ble Vice-Chairman.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 91 of 1997.

Date of order : This the 26th day of June, 1997.

The Hon'ble Justice Shri D.N. Baruah, Vice-Chairman.

The Hon'ble Shri G.L. Sanglyine, Administrative Member.

Shri Bhogeswar Hazarika,  
S/o Late Ghain Ch. Hazarika  
resident of Bordoloi Nagar,  
P.O. Tinsukia,  
District-Tinsukia (Assam)

....Applicant.

-versus-

1. Union of India represented by  
the Secretary, Department of Telecommunication,  
Govt. of India,  
New Delhi.
  2. Chief General Manager (Telegraph)  
Assam Circle,  
Guwahati.
  3. Telecom District Manager,  
Dibrugarh.
  4. Telephone Divisional Engineer,  
Dibrugarh.
- ....Respondents.

ORDER

BARUAH J. (V.C.).

In this application the applicant has prayed for issuance of a direction to allow the applicant to resume his duties as he has already withdrawn the letter of Resignation. In this connection he submitted three representations Annexures A, B and C to the Chief General Manager, Telecommunications. In spite of those representations the applicant has not been allowed to resume his duties. Hence the present application. At

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the time of moving of this application we had requested Mr. S. Ali, learned Sr. C.G.S.C. to receive instructions.

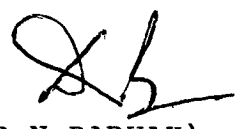
2. Heard Mr. Ali, Sr. C.G.S.C. appearing on behalf of the respondents. He submits that the resignation which was submitted by the applicant was later on withdrawn. Till then, the letter of resignation had not been accepted. The learned counsel for the applicant submits that in the eye of law there was no resignation. Mr. Ali also confirms the same. The representations also have not been disposed of till now.

3. Considering the facts and circumstances of the case we are of the opinion that respondents should consider the representation and pass a reasoned order thereafter. While disposing the representation of the applicant the respondents shall follow the decision of the Apex Court and also of the Gauhati High Court. The applicant may file a fresh representation giving details of his case within three weeks from today. If such representation is filed by the applicant, such representation shall also be taken into consideration while disposing of the matter regarding withdrawal. This must be done within a period of two months from the date of submission of representation.

The Original Application is disposed of

Considering the facts and circumstances of the case we make no order as to costs.

  
(G.L. SANGLYINE)  
Administrative Member

  
(D.N. BARUAH)  
Vice-Chairman