

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH**

**LPA No.1981 of 2013  
Date of Decision: 19.10.2015**

Viney Suri .....Appellant

Versus

The Central Bank of India & ors. ....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA  
HON'BLE MRS. JUSTICE REKHA MITTAL**

Present: Mr. Rajiv Atma Ram, Senior Advocate with  
Mr. Abhishek Arora, Advocate for the appellant.

Mrs. Vanita Sapra, Advocate for the respondents.

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**RAJIVE BHALLA, J (ORAL)**

The appellant challenges order dated 08.03.2013, passed in CWP No.3579 of 1994 and order dated 20.08.2013 passed in RA No.141 of 2013, filed in CWP No.3579 of 1994, primarily on the ground that one of the significant points pleaded, has not been considered or decided namely the power to accept resignation letter dated 24.06.1991 particularly after it had been rejected on 12.09.1991 and a writ petition, praying that the resignation be accepted, was dismissed.

Amplifying his arguments, counsel for the appellant submits that once the resignation letter has been rejected and the writ petition filed by the appellant praying that the resignation be accepted, had been dismissed, the respondents had no jurisdiction, to accept the resignation letter particularly when it was their own stand that the application for resignation had been rejected.

Counsel for the respondents submits that the application for resignation, was rejected as it was not addressed to a competent authority and even otherwise, was kept pending subject to the outcome of disciplinary proceedings. Upon conclusion of disciplinary proceedings, the resignation was accepted, thereby leaving no grievance with the appellant to his voluntary resignation.

We have heard counsel for the parties, perused the impugned orders as well as contents of the writ petition, and are satisfied that one of the primary points that arose for adjudication, but has not been decided, is the power of the respondents to accept resignation dated 24.06.1991 after it had been rejected on 12.09.1991. A perusal of the impugned orders reveals that this matter has neither been considered nor answered whether in favour of the appellant or in favour of the respondent. Consequently, without expressing any opinion as to the merits of the present controversy, we partly allow the appeal and remit the matter for consideration on a limited point namely the legality of acceptance of resignation, vide order dated 31.03.1993.

Disposed of accordingly.

**[ RAJIVE BHALLA ]**  
**JUDGE**

19.10.2015  
Vinay

**[ REKHA MITTAL ]**  
**JUDGE**