

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO**

-
WRIT APPEAL NO.2575 OF 2005

-
J U D G M E N T

(per Hon'ble Sri Justice Sanjay Kumar)

The petitioner in W.P.No.25104 of 2005 is in appeal aggrieved by the dismissal of the said writ petition by order dated 25.11.2005. The grievance of the appellant/petitioner was that the second respondent college did not act upon her representation dated 16.02.2002, whereby she sought to withdraw the voluntary resignation letter dated 14.02.2002. It is not in dispute that the said letter was acted upon and she was relieved from service on 15.02.2002 itself. It was only one day thereafter that the petitioner had second thoughts about resigning from service and submitted the representation dated 16.02.2002.

The settled legal position as laid down in **BALRAM GUPTA V/s. UNION OF INDIA**^[1] is to the effect that a voluntary resignation can be withdrawn only prior to the same being accepted and acted upon.

In the present case, Sri M.Sreekanth, learned counsel for the appellant, is unable to place any material before this Court to support his contention that the appellant/petitioner's voluntary resignation ought not to have been accepted with such expedition.

That being so, this Court finds no reason to interfere with the action of the management of the second respondent college in accepting the petitioner's voluntary resignation on 15.02.2002, one day after its submission. No grounds are made out to interfere with the order passed by the learned Judge dismissing the writ petition.

The writ appeal is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

DR. B.SIVA SANKARA RAO, J

8th JUNE, 2016
Svv

[\[1\]](#) 1987 (Supp) Supreme Court Cases 228