

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.514 of 2017

Date of Decision: 16.1.2017

Saroj

... Petitioner

Versus

Union of India & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Aditya Yadav, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.(Oral)

This petition is wholly frivolous, vexatious and a waste of time of this Court. The husband of the petitioner resigned in 1995 while serving as a Cook in CRPF. The resignation was accepted in writing and a copy of it is at Annex P-2. He never questioned the resignation or resiled from it till he passed away in the year 2009. Even thereafter, all that the wife did was to make representations to the CRPF claiming family pension for herself in support of her family. She has now approached this Court seven years after the death of her husband expecting a miracle to happen. The law is well settled that once an employee resigns and the resignation is accepted all post retirement rights come to an end unless rule permits, which is not the case pleaded. The employee gets nothing from the coffers of the State on resignation though rather sadly for the widow, but Court can be of no help. Counsel then prays for a direction to be issued to the CRPF to decide the representations by passing a speaking order. In a 'dead' claim such directions are not to be issued mechanically or for the asking; See for instance, Union of India v. M.K.Sarkar, (2010) 2 SCC 1126 and C. Jacob v.

Director of Geology & Mining & Anr, (2009) 10 SCC 115 to lay to rest the prayer for decision on the representations.

No merit. Dismissed.

(RAJIV NARAIN RAINA)
JUDGE

16.01.2017
monika

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>