

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3568 of 2018**

Santosh Kumar Verma, aged about 50 years, son of late Ramlal Verma, R/o village Sakri, Tahsil and District Baloda Bazar-Bhatapar (CG)

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, Department of Cooperative, New Mantralaya, New Raipur, C.G.
2. Nagrik Sahakari Bank Limited, G.E. Road, Sharda Chowk, Raipur District Raipur (CG) through the General Manager

---- Respondents

For Petitioner	:	Shri Sanjay Kumar Dewangan, Advocate
For Respondent/State	:	Shri Adhiraj Surana, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****09.05.2018**

The prayer of the petitioner through the present writ petition is for a direction to the respondents to consider his case for reappointment on the post of peon under respondent no.2.

2. The facts of the case are that the petitioner was appointed as a peon with respondent no.2 in the year 1985. On 03.04.2017, the petitioner applied for retirement which stood allowed on 06.04.2017 and the order came into force also. The petitioner thereafter submitted an application for reconsideration of his resignation on 15.04.2017 and again by a reminder letter dated 04.05.2017. Thereafter he has also sent a legal notice to the respondents but the respondents have not taken any decision on the said

application.

3. Given the facts and circumstances of the case, particularly, taking note of the contents of the letter of resignation dated 03.04.2017 Annexure P-2 which prima facie does not appear to be an application seeking for voluntary retirement and also considering the fact that the petitioner had not deposited 3 months' notice pay which was mandatorily required for the resignation letter to come into force neither does the acceptance order dated 06.04.2017 reflects the Management having condoned the non payment of notice pay, this Court is of the opinion that ends of justice would meet if the petition is disposed of with a direction that respondent no.2 should consider and take a decision on the petitioner's application seeking withdrawal of his resignation dated 03.04.2017 which is pending consideration at the earliest preferably within a period of 60 days from the date of receipt of certified copy of this order. It is ordered accordingly.

4. With the aforesaid observation, the present writ petition stands disposed of.

**Sd/-
P. Sam Koshy
Judge**