

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6062 of 2018**

Kishmat Lal Nanda S/o Late Sahasram Nanda, Aged About 59 Years Deputy Superintendent Of Police Raigarh Chhattisgarh. R/o Village Santpali, Block Basna, Police Station Saraipali, District Mahasamund Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Home, Mahanadi Mantralaya, Naya Raipur Post Office And Police Station Naya Raipur District Raipur Chhattisgarh.
2. Director General Of Police, Police Head Quarters, Chhattisgarh, Raipur Chhattisgarh.
3. Inspector General Of Police, Bilaspur Range Bilaspur Chhattisgarh.
4. Superintendent Of Police, Raigarh Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Vivek Kumar Shrivastava, Advocate
For State	:	Mr. S.P. Kale, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14/09/2018**

1. The limited prayer which the petitioner has made is for a direction to the respondents to take a decision on his resignation letter which he has submitted on 01.05.2018 giving 3 months notice ending on 31.08.2018.
2. According to the petitioner, three months time have been mentioned in the said resignation letter which has already been lapsed, but no decision has been taken on the application.
3. Considering the facts that the petitioner had tendered his resignation and which is pending consideration and the period mentioned in the resignation letter also having expired, let the respondent No.2 take a decision on the resignation application of the petitioner within a period of two weeks from today keeping in view the provisions of F.R. 56 as also the provisions of Rule 42(i)(a) of the Chhattisgarh Civil Services

(Pension) Rules, 1976, provided that the petitioner would also be ready to fulfill all other conditions which are required while accepting his resignation.

4. It is made clear that in case if the respondents fail to take a decision on the application of the petitioner by the 30th of September, 2018 i.e. within two weeks, it shall be presumed that the order of voluntary resignation deemed to have been accepted.
5. The order of this Court stands fortified by the recent decision of the Hon'ble Supreme Court in the case of "State of Uttar Pradesh v. Achal Singh" decided on 21.08.2018.
6. With the aforesaid observations, the writ petition stands disposed off.
7. Certified copy today.

Sd/-
(P. Sam Koshy)
Judge

Ved