

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

**CWP No. 17201 of 2018**

**Date of Decision: 17.07.2018**

Dheeraj Kumar Yadav

...Petitioner

Vs.

The Educational Tribunal, Gurugram and others

...Respondents

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

Present: Mr. Aman S. Jain, Advocate  
for the petitioner.

**RAJIV NARAIN RAINA, J. (Oral)**

The petitioner was working as peon-cum-messenger in the respondent-Sainik School, Rewari. He submitted his resignation on 08.04.2016 alleging some acts of commission and omission on the part of the school authorities. The resignation was accepted by the Management on 14.05.2016. The petitioner withdrew the resignation vide letter dated 19.06.2016. He filed an appeal/representation with the 1<sup>st</sup> respondent for reinstatement, when no action was taken he appealed to the Educational Tribunal/Additional District Judge, Rewari who by order dated 08.02.2018 has dismissed the appeal.

2. The Tribunal has concluded that resignation becomes effective when it is accepted and person is relieved from the post. The right under the rules of Government of India, Ministry of Personnel provide that a person can withdraw his resignation but, before being relieved. In this case, the petitioner not only submitted his resignation but was relieved from the job. The letter of acceptance was received by

the petitioner-appellant on 18.05.2016, and hence, the legal principle on which the Tribunal proceeded to reject the appeal is correct approach on law.

I find no infirmity in the orders of the Tribunal and would dismiss the petition.

(RAJIV NARAIN RAINA)  
JUDGE

17.07.2018  
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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |