

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

CWP-30536-2018

Date of decision: 03.12.2018

Sharafat Hussain

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Afzal Hussain, Advocate for the petitioner.

Ritu Bahri, J. (Oral).

The petitioner was working on contract basis since 14.09.2005 and he continued to work till 22.11.2005. Due to family circumstances, he gave his resignation letter on 23.11.2005 (Annexure P-4) which was subsequently accepted by the Department on 23.11.2005 (Annexure P-3). However on 06.11.2013 (Annexure P-8), he approached the Department again to rejoin him for duty and thereafter he made a representation on 28.11.2013 (Annexure P-9) and finally on 04.06.2017 (Annexure P-10) to rejoin him for duty. There is a gap of more than 4 years in tendering his resignation, which was accepted by the Department. He was appointed on contractual basis and at best he can have a right for re-appointment in case his work and conduct is found to be satisfactory. At this stage, he has no right to withdraw his resignation as more than 4 years have gone by in approaching this Court. A perusal of letter dated 23.11.2005 (Annexure P-3) shows that after tendering his resignation he has been relieved on 23.11.2005 itself. Hence, the resignation was accepted way back in the year 2005.

No case for withdrawing his resignation survives after a gap of four years.

Dismissed.

(RITU BAHRI)
JUDGE

03.12.2018
Divyanshi

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No