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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7181/2018

SAUGATA ROY

..... Petitioner

Through: Mr. Viraj R. Datar and Mr. Nitish
Chaudhary, Advocate

versus

PEC LIMITED

..... Respondent

Through: Mr. Krish Kalra, Advocate

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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13.07.2018

CM No. 27375/2018 (Exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of accordingly.

W.P.(C) 7181/2018 & CM No. 27376/2018 (Stay)

It has been submitted by the counsel for the petitioner that the petitioner has submitted his resignation to the respondent but the same has not been accepted. This is second round of litigation. The first round was completed when W.P. (C) No. 4886/2018 was decided on 08.05.2018 by directing the respondent to pass a reasoned order with regard to the rejection of resignation and now the order has been passed on 04.06.2018.

Submission made by the counsel for the petitioner is that the petitioner got another assignment but he is unable to resume his duties just because of non-acceptance of resignation, whereas counsel for the

respondent submits that the disciplinary proceedings are pending against the petitioner and during pendency, resignation cannot be accepted. Counsel for the respondent further submitted that enquiry has already been completed on 29.06.2018 and now, it is pending for final disciplinary order.

In the facts and circumstances, this Court is of the considered opinion that prolonging the decision on resignation of the petitioner would definitely going to cause unnecessary harm to him. Thus, the respondent is directed to take final decision on the enquiry and pass the order on resignation, keeping in view the enquiry report within one week.

Petition and pending application are disposed of.

Dasti under the signature of Court Master.

P.S.TEJI, J

JULY 13, 2018

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