

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 64 of 2019**

Ajay Kumar S/o Dilip Kumar Aged About 58 Years Through His Daughter Ku. Ritu D/o Ajay Kumar Aged About 25 Years R/o M- 699, Adarsh Nagar Kusmunda, Ward No. 55, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- **Petitioner**

Versus

1. South Eastern Coalfields Limited Through Chairman Cum Managing Director, South Eastern Coalfields Limited, Seepat Road, Police Station Sarkanda, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. General Manager (Mining) South Eastern Coalfields Limited Kusmunda Project, Kusmunda Colliery District Korba Chhattisgarh., District : Korba, Chhattisgarh
3. Mines Manager South Eastern Coalfields Limited Kusmunda Project, Kusmunda Colliery District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- **Respondents**

For petitioner	:	Shri Praful N. Bharat, Advocate.
For respondents	:	Shri K.P.S. Gandhi, on behalf of Shri Vinod Deshmukh, Advocates.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15/01/2019

1. The limited relief which the petitioner has sought for in the present writ petition is that the petitioner has submitted his application for voluntarily resignation which till date has not been decided by the respondents.
2. Counsel for the petitioner submits that the petitioner on account of his medical condition had moved an application as early as on 20/07/2018 for voluntarily resignation and subsequently as repeatedly made representation to the authorities for considering his application for voluntarily resignation.
3. Counsel appearing for the respondents submits that present is a third round of litigation. As in the past on two occasions petitioner had approached this Court and this Court at the request of the petitioner had directed respondents in providing sufficient time to appear before departmental authorities who were

proceedings against petitioner in disciplinary matter and the resignation for the said reasons must not have been decided.

4. Given the said total facts and circumstances of the case without expressing any opinion on the merits of the case, the writ petition as on date stands disposed off with direction to the respondents No. 2 & 3 to take a decision on the application for resignation which the petitioner has submitted in accordance with the rules and regulations governing the field at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.

5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Rohit