

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

**LPA No. 501 of 2019 (O&M)**

Date of Decision: 06.03.2019

Dharamvir Singh

.....Appellant

versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE  
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

**Present :** Mr. RS Kundu, Advocate, for the appellant.

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**KRISHNA MURARI, C.J.(oral)**

CM No. 1178-LPA-2019

Heard. For the reasons mentioned in the application, delay of  
46 days in filing the appeal is condoned. Application stands disposed of.

**LPA No. 501 of 2019**

This intra-court appeal under Clause X of the Letters Patent is directed against the judgment and order dated 30.11.2018 passed by the learned Single Judge dismissing the writ petition filed by the appellant.

2. The appellant invoked the extra ordinary writ jurisdiction of this Court conferred by Article 226 of the Constitution of India seeking a direction to the respondents to take him back in service on the post of Senior Account Officer after permitting him to withdraw the voluntary retirement notice dated 10.01.2017 and to permit him to continue upto the age of 60 years.

3. Admittedly, the appellant-petitioner gave a notice dated 10.01.2017 seeking voluntary retirement. His request was accepted vide order dated 20.04.2017. After about almost a year the same was challenged by filing the writ petition. Learned Single Judge dismissed the writ petition on the ground that once the voluntary retirement sought by him has been accepted after expiry of the notice period, no vested right stood in the appellant-petitioner to revoke the same. We are also of the considered opinion that once the notice period has expired and voluntary retirement sought by the appellant-petitioner was accepted, the same is not liable to be revoked and thus there is no infirmity in the view taken by the learned Single Judge which may require interference.

4. The appeal is devoid of merits and accordingly stands dismissed.

(KRISHNA MURARI)  
CHIEF JUSTICE

(ARUN PALLI)  
JUDGE

06.03.2019

ravinder

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|---------------------------|---------|
| Whether speaking/reasoned | √Yes/No |
| Whether reportable        | Yes/No√ |