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

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Date of decision: 03.11.2022

+ W.P.(C) 15193/2022

KARSHANBHAI SHAMLAJI MALI

..... Petitioner

Through: Mr.Abhay Kumar Bhargava &
Mr.Satyarth B. Sinha, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Raj Kumar, SPC with
Mr.Abhigyan Siddhant (GP) for UOI.
Sh.Hemendra Singh, Deputy
Commandant (Law) BSF.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE SAURABH BANERJEE

JUDGMENT (oral)

1. Present petition has been filed seeking quashing of the impugned orders dated 31.08.2021 issued by Commandant Medical BSF and 10.09.2021 issued by Dy. Commandant 154 BN BSF and 14.06.2022 issued by the Commandant Medical BSF.
2. It is not in dispute that petitioner has resigned from the service on 08.06.2019 and the same was accepted on 07.08.2019 w.e.f. 31.08.2019. Thereafter petitioner made representations on 02.09.2020, 29.09.2020 and 24.11.2020 for withdrawal of resignation, however, in the said

representations, there is no change of circumstances mentioned by the petitioner and the said representations have filed after more than a year which is contrary to CCS CCA Pension Rules as laid down vide OM dated 10.06.2019 wherein it is stated as under:

“2. The appointing authority may permit a person to withdraw his resignation in the public interest on the condition

(c) that the period of absence from duty between the date on which the resignation became effective and the date on which the person is allowed to resume duty as a result of permission to withdraw the resignation is not more than 90 days.”

3. In view of above, we find no merit in the present petition. The same is, accordingly, dismissed.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

NOVEMBER 03, 2022/ab