

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

201

RSA-964-1993 (O&M)
Date of Decision :21.02.2024

Beant Lal**...Appellant**

Versus

R.D.A. Punjab Chandigarh and another**....Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Surinder Garg, Advocate for the appellant.

Mr. Rohit Ahuja, DAG, Punjab.

Ms. Sarita, Advocate for Mr. Abhilash Grover, Advocate
for respondent No.2.

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Harsimran Singh Sethi, J. (Oral)

1. In the present regular second appeal, challenge is to the judgment and decree of the Courts below by which, the suit filed by the appellant-plaintiff has been dismissed.

2. Learned counsel for the appellant-plaintiff submits that the appellant-plaintiff had resigned from service as Steno-cum-typist from the department of Rural Development Agency on 06.12.1985 and the request of withdrawal of the said resignation by the appellant-plaintiff has not been accepted by the respondent-department, which is arbitrary and illegal.

3. Learned counsel for the respondents submits that resignation submitted by the appellant-plaintiff on 06.12.1985 was accepted by the respondent-department on 10.01.1986 and withdrawal of the said

resignation was submitted by the petitioner on 07.03.1986 i.e. after the acceptance of the resignation and as per the settled principle of law, request for withdrawal of resignation after acceptance of the same is not permissible.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. It is a settled principle of law that resignation submitted by an employee can only be withdrawn prior to the acceptance of the same. In the present case, it has already come on record that resignation which was submitted by the petitioner on 06.12.1985, had already been accepted by the respondent-department on 10.01.1986 and hence, refusal of the respondent-department to permit the appellant-plaintiff to withdraw the said resignation as requested on 07.03.1986 has rightly been held to be valid by the Courts below as by the date of request for withdrawal of resignation, same already stood accepted as well as implemented.

6. Further, no perversity in the findings so recorded by the Courts below has been pointed out by the learned counsel for the appellant-plaintiff hence, no ground for interference is made out by this Court and the present regular second appeal is accordingly dismissed.

7. Civil Miscellaneous application if any, pending, is also disposed of

February 21, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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