



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-7206-2001 (O&M)

Decided on :20.05.2025

PRITPAL SINGH

. .Petitioner

Versus

PEPSI FOODS LTD AND ORS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Jai Bhagwan, Advocate for the petitioner.

Mr. Rohit Khanna, Advocate
for respondents No. 1 & 2.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the challenge is to the impugned award dated 02.02.2000 (Annexure P-12) by which, the prayer of the petitioner that his services have been wrongly terminated by the respondents has not been appreciated whereas, finding has been recorded by the Labour Court that the petitioner-workman has resigned from his services vide resignation letter dated 22.03.1993 and even that he had taken all the dues admissible to him after his resignation from his service which was accepted by the respondents subsequently.

2. Learned counsel for the petitioner argues that the resignation letter alleged to be tendered by the petitioner-workman was a forced one and the same was not tendered voluntary and therefore, acceptance of the said resignation letter in any manner cannot be treated as a valid resignation and will rather amount to termination of services of the petitioner-workman in an illegal manner which fact has not been appreciated by the Tribunal while passing the impugned order dated 02.02.2000 (Annexure P-12).



3. Learned counsel for the respondents submits that the resignation letter was tendered by petitioner-workman on 22.03.1993 which was duly accepted by the respondent-department at that time and thereafter, all the dues admissible to the petitioner-workman, were also given to the petitioner-workman on 06.04.1993 and thereafter, due to change of his heart, the petitioner-workman sought to withdraw the resignation letter he had tendered which was not allowed by the respondents, hence, the findings which have been recorded by the Tribunal in its impugned order dated 02.02.2000 (Annexure P-12) are liable to be upheld as the same are based upon the facts and evidence brought on record.

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

5. The perversity in the impugned award dated 02.02.2000 (Annexure P-12) has to be proved qua the facts or evidence which have come on record so as to set-aside the same. The evidence has already come on record that there was a resignation letter tendered by the petitioner-workman on 22.03.1993. It is also a proven fact on record that the said resignation by the petitioner-workman from his service was accepted by the respondents and all the dues admissible to the petitioner-workman were given to him by the respondents on 06.04.1993 and the said resignation letter was sought to be withdrawn by the petitioner-workman on 19.04.1993.

6. It may be noticed that prior to the prayer of the petitioner-workman for withdrawal of the resignation letter, all the dues admissible to the petitioner-workman were given to him by the respondents on 06.04.1993. That being so, once, all the dues admissible to the petitioner-workman were paid to him by the employer upon acceptance of resignation of the petitioner-workman, the master and servant relationship come to an end and



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no withdrawal of the resignation could have been prayed by the petitioner-workman after 06.04.1993, which fact has rightly been appreciated by the Tribunal so as to record the findings that after the acceptance of the resignation letter by the respondent, the petitioner-workman could not have been allowed to withdraw the said resignation letter.

7. Qua, the allegations alleged by petitioner-workman that the resignation letter tendered by the petitioner-workman was not voluntary and rather a forced one, the said fact has also been dealt by the Tribunal while recording the findings in its impugned order dated 02.02.2000 (Annexure P-12) and the said finding of the Tribunal qua the said aspect in its impugned order dated 02.02.2000 (Annexure P-12) has not been proved to be perverse in any manner.

8. Once, on the basis of the fact and evidence, which has already come on record which shows that the petitioner-workman has resigned from his services, which fact was also accepted by the respondents and all the dues admissible to the petitioner-workman had also been paid to him, the subsequent request of the petitioner-workman for withdrawal of the resignation letter so as to join the services again is not permissible, hence, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

9 Accordingly, the writ petition is dismissed.

10. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

20.05.2025

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Whether speaking/reasoned: ~~Yes~~/No

Whether Reportable: ~~Yes~~/No