

2025:PHHC:011967



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(213)

CWP-29177-2018
Decided on : 27.01.2025

Saurabh Rao

.....Petitioner(s)

Versus

Bharat Heavy Electrical Ltd. & another

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE VINOD S.BHARDWAJ

Present: Mr.Sunil K.Nehra, Advocate for the petitioner (s).

Mr.Gaurav Pathak, Central Government Counsel
for the respondents (through VC).

VINOD S.BHARDWAJ, J. (Oral)

1. Challenge in the present writ petition is to the order dated 16.08.2018 (Annexure P-16) vide which the resignation of the petitioner has been accepted despite the fact that the same had already been withdrawn on 18.07.2018 (Annexure P-14) i.e. prior to the effective date when the 3 months' notice period was yet to expire. Resultantly, the petitioner approached this Court.

2. Counsel for the respondents has raised certain issues including the preliminary reply as well as the issue of territorial jurisdiction.

3. Learned Counsel appearing for the petitioner submits that in similar circumstances, the issue has been ruled against him by the Hon'ble Supreme Court in the matter of **Additional General Manager/Human Resource Bharat Heavy Electricals Ltd. Vs. Suresh Ramkrishna Burde**, reported as 2007 (3) S.C.T. 202.

4. Learned Counsel for the petitioner contends that since the issue of territorial jurisdiction has been ruled against the petitioner in a matter pertaining to the respondent herein, he may be permitted to withdraw the present writ petition, at this stage, without prejudice to the rights of the petitioner, so that he can take all pleas before an appropriate forum.

5. Accordingly, in view of the fair stand taken by Learned Counsel for the petitioner, the present writ petition is disposed of as withdrawn and the writ petition is returned to him, after retaining a copy of the same, with liberty to the petitioner to present his case before the competent authority exercising the jurisdiction in the matter.

6. Writ petition is disposed of in the above-stated terms.

(VINOD S.BHARDWAJ)
JUDGE

27.01.2025

Sailesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No