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HIGH COURT ON EMPLOYEE'S VOLUNTARY RESIGNATION

The Guwahati High Court (**HC**), in the *Rangan KR Nath* case,¹ held that an employee's voluntary resignation can be accepted only when it is not conditional, is clear, unambiguous and unequivocal.

A. Brief facts:

In 2000, Rangan KR Nath (**Nath**), the petitioner, was inducted as a constable in Central Reserve Police Force (**CRPF**). In 2008, while he was posted in Guwahati, he was diagnosed with low backache and P3(P) disease. Frustrated by his prevailing circumstances and ill-health, he had prayed to his employer for the constitution of a medical board to examine his illness, and otherwise, his resignation to be accepted vide his letter dated July 27, 2012.

However, Nath contended that the authorities (**Respondents**) accepted his 'conditional resignation' without constituting a medical board. Due to this, he was not entitled for any retirement benefits.

B. Nath's Contentions:

That the letter addressed to the Deputy Inspector General, Group Centre, CRPF, Guwahati, was for constitution of a medical board or to accept his resignation due to ill health and family problems.

That the letter clearly reflected a conditional resignation, and no medical board was constituted by the Respondents due to which he was not entitled to any retirement benefits including pension.

C. Respondent's Contentions:

That a medical board was constituted and before the case was finalized, Nath submitted a letter of resignation citing domestic problems, which was accepted by the Respondents.

D. HC's Judgement & Analysis:

The HC observed that:

- There was a difference in the letters relied by the parties, and it appeared that Nath had retyped his resignation letter by way of improvement as the original letter titled 'Regarding Resignation from Service' submitted to the Respondents was handwritten with different meaning.²

¹ *Rangan Kr. Nath v. Union of India*, WP(C) 196 of 2016. A copy of the Judgement can be accessed [here](#).

² Paragraph 15 of the Judgement.

- *“Without going into the genuineness or otherwise of the said two letters, this Court is of the view that [Nath] has submitted his resignation letter voluntarily as it appears that he was suffering from the disease and placed under P-3(P) and was not able to look after his family including his old aged father and children.”*³
- Having considered the resignation letters relied upon by the parties, there was no scope to hold that the letters are either ambiguous or conditional. Hence, there was no illegality in accepting the resignation letter by the Respondents.⁴
- *“There cannot be any disagreement to the proposition of law that the letter of resignation must be unambiguous. The resignation can be accepted only when it is clear, unambiguous, unequivocal and not conditional. If a letter of resignation is coupled with condition, same cannot be accepted by the authority without first informing the employee that the condition put forth by him cannot be accepted.”*⁵

Accordingly, the HC dismissed Nath’s petition.

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³ Paragraph 16 of the Judgement.

⁴ Paragraph 21 of the Judgement.

⁵ Ibid.