

Deputy Registrar (M)

May kindly see the letter dated 03.08.2012, placed below **at Flag 'A'** received from Km. Sonal Pandeya, Judicial Magistrate, Hardoi addressed to the Registrar General, High Court, Allahabad duly forwarded by the District Judge, Hardoi regarding resignation from the U.P. Judicial Service for fulfilling her marital obligations.

In her aforesaid letter Km. Sonal Pandeya has stated that she has joined Uttar Pradesh Nyayik Sewa in the cadre of Civil Judge (Junior Division) on 24th April, 2009 and since then working as Civil Judge (Junior Division)/Judicial Magistrate presently posted as Judicial Magistrate, Hardoi. Her marriage has recently been fixed and after marriage she has to join her husband for fulfilling her marital obligations and her husband's permanent location being outside of this country, she find it difficult to continue her employment in Uttar Pradesh Nyayik Sewa.

At the last, Km. Pandeya has requested that her resignation letter may be placed before Hon'ble Court for necessary action orders.

In this connection, office humbly submits that under the provision contained in para 4 of U.P. Government servants resignation rules 2000, a Government servant may resign from his service by giving 3 months notice in writing. (2) The notice of resignation shall be- (I) voluntary and unconditional; (ii) addressed to the appointing authority under intimation to the authority under whom the said Government servant is working at the time of tendering resignation. Provided that it shall be open to the appointing authority to allow a Government servant to resign without any notice or by a shorter notice.

After perusal of above letter dated 03.08.2012 of Km. Sonal Pandeya following shortcoming came into the light :-

1. Km. Sonal Pandeya has addressed her resignation to Registrar General, High Court, Allahabad whereas as per rule applications should be addressed to the appointing authority i.e. His ^{the} Excellency Governor of Uttar Pradesh, Lucknow (U.P.) under intimation to the authority under whom the said Government servant is working at the time of tendering resignation.
2. The provision contains that an officer have to give three months prior notice whereas Km. Sonal Pandeya has requested for only one months notice, which is also not entertainable.
3. Her application of resignation should be voluntary and unconditional.

4. Moreover, Km. Pandeya has also not mentioned the date of resignation on which she wants to resign from the service of U.P. Nyayik Sewa.

If approved by learned Registrar General, the District Judge, Hardoi may be requested to ask Km. Sonal Pandeya, Judicial Magistrate, Hardoi to send modified resignation letter / application addressed to the His Excellency Governor of Uttar Pradesh (the appointing authority), Lucknow (U.P.) after removing aforesaid objections, so that necessary action may be taken in the matter?

A

Sailed
30.8.12
R.O.

DOWN
31/8/12

Registrar (Budget)

DOWN
31-8-12
AR

Submitted for kind perusal & onward submission before R.G. for kind perusal & orders as proposed at 'A' above or pass other orders as may be deemed fit & proper.

1-9-12
DR(M)

Registrar General

May like to approve as proposed at 'A'

A approved
6/9/12

03-9-12
Registrar (Budget)

DR(M)
09
Regd (B)
6.9.12

Sd/Admn A/D

5/9/12
DR(M)
07-09-12

Dr Sailesh J
DOWN
10/09/12