

2495

(17)

Urgent

Report 110

21/R(B)

09/11/18

R-3003/18

Deputy Registrar(M)

May kindly peruse recent letter dated 29.03.2018(at flag 'A') and earlier letter dated 22.01.2018(at flag 'B') of Sri Pranat Kumar Joshi, Judicial Magistrate, Hardoi, duly forwarded by the District Judge, Hardoi, vide which he has tendered his resignation from U.P.Judicial Services in lieu of his selection in Delhi Judicial Services Exams-2015 .

Vide aforesaid letter dated 22.01.2018(flagged as 'A'), Sri Joshi has informed that he has been selected in Delhi Judicial Services Exams-2015 and is willing to join the same. He has further stated that all necessary formalities have been completed thus very soon he expects appointment to same, latest by March, 2018. Besides, he has stated that permission and NOC with respect to same has already been granted to him vide Hon'ble Court's letter no. 11354/IV-4416/ Admin(A) dated 18.09.2017(at flag 'C'). With respect to date of relieving vide recent letter dated 29.03.2018(flagged as 'B') he has desired to be relieved from U.P.Judicial Services w.e.f 02.04.2018 or as and when received and perused by this Hon'ble Court and His Excellency, The Governor of U.P, Lucknow.

Also, peruse letter dated 05.04.2018(at flag 'D') of the Registrar General, Delhi High Court, New Delhi vide which Hon'ble Court has been requested to relieve Sri Pranat Kumar Joshi, Judicial Magistrate, Hardoi from U.P.Judicial Services at the earliest so that he may take an oath and thereafter proceed for mandatory induction training.

In this context it is submitted that as Sri Pranat Kumar Joshi had recently entered into U.P.Judicial Services as Civil Judge(Junior. Division), Hardoi on 24.05.2017, the nature of his employment is still that of a temporary employee and is not entitled to hold any lien with U.P.Judicial Services.

In this respect it is further submitted that resignation/relieving requests of temporary employees are carried out in accordance with Rule - 3 of The U.P. Temporary Government Servants(Termination of Service) Rules, 1975 which provides as quoted here under as well as placed at flag 'E' :

3. *Termination of service : (1)the services of a Government Servant in temporary service shall be liable to termination at any time by notice in writing given either by the Government servant to the appointing authority or by the appointing authority to the Government servant.*

(2) the period of notice shall be one month

Provided further that it shall be open to the appointing authority to relieve a Government servant without any notice or accept notice for a shorter period, without requiring the Government servant to pay any penalty in lieu of notice.

P.F.O.

Reported

It is pertinent to mention here that Sri Pranat Kumar Joshi has requested prescribed notice period to be waived. In instant matter, since the appointing authority is the Government of U.P, thus request regarding acceptance of resignation/relieving from service/waiving prescribed notice period has to be sent to Government of U.P. for necessary orders.

Further, as per reports(placed at flag 'F', 'G', 'H', 'I' & 'J') obtained from concerned departments, there is no departmental/vigilance enquiry pending against Sri Pranat Kumar Joshi, Judicial Magistrate, Hardoi.

In the view of above submitted facts and information, if approved by Learned Registrar General, the matter may be placed before Hon'ble the Chief Justice for His Lordship's kind perusal and order to the effect that Resignation letters dated 22.01.2018 & 29.03.2018 of Sri Pranat Kumar Joshi, Judicial Magistrate, Hardoi accompanied by letter dated 05.04.2018 of Registrar General, Delhi High Court, New Delhi as well as aforesaid information about nature of his employment, desired date vide which resignation is to be considered effective etc. may be sent to the Under Secretary, Appointment Section-4, Government of U.P, Lucknow for immediate relieving of Sri Pranat Kumar Joshi, Judicial Magistrate, Hardoi from U.P.Judicial Services, in accordance with Rule - 3 of The U.P. Temporary Government Servants(Termination of Service) Rules, 1975, subject to issuance of Government Order regarding acceptance of his resignation at a later date ?

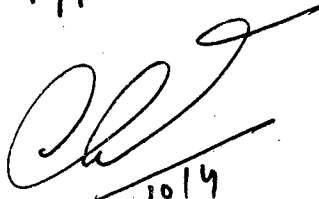
Pranat Joshi
07/04/18 R.O.
Pranat Joshi
07.04.18
A.R.
Registrar (B)

may like to place the file before learned Registrar General for kind perusal & placing the same before Hon'ble the Chief Justice for His Lordship's kind perusal & order ?
Rd
Tut 18
BR

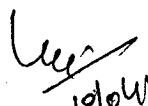
Registrar General
Submitted for kind perusal and order onward submission.
Registrar (B) 09/04/18

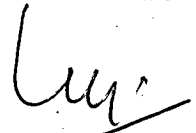
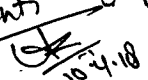
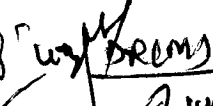
Hon'ble the Chief Justice

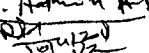
Submitted for kind perusal and orders.

Approved

10/4

CHIEF JUSTICE

Rg B

10/04/18


Registrar General
Ms. Pranti

10.4.18

10/4/18

So. Anshu A.R.

10/4/18