

Deputy Registrar (M)

Request of

May kindly see letter dated 23.12.2011, placed below at Flag 'A' received from Sri Subhash Chand-VI, Chief Judicial Magistrate, Chitrakoot addressed to the Registrar General, High Court, Allahabad duly forwarded by the District Judge, Chitrakoot regarding resignation from the U.P. Judicial Service for joining U.P. Higher Judicial Service. *w.e.f. 2.1.2012*

In his aforesaid letter Sri Subhash Chand-VI has stated that he had applied for Higher Judicial Services Exam, 2000, while he was practicing as an Advocate at District Court, Haridwar. Thereafter he joined in P.C.S. (J) as Additional Civil Judge (Junior Division) on 23<sup>rd</sup> May, 2001 and now he is posted as Chief Judicial Magistrate, Chitrakoot. In the mean time he was selected in Higher Judicial Services 2000 batch and has been appointed as Additional District & Sessions Judge, Meerut, in pursuant to Notification No. 1388/DR (S)/2011, in pursuant to Government Office Memorandum No. 2875/11-4-2011-32(1)/2005 dated 22.12.2011.

The officer concerned has requested that his resignation may kindly be placed before Hon'ble Court for kind acceptance so that he may join as Additional District & Sessions Judge, Meerut in pursuant to aforesaid notification.

In this connection it is submitted as per report of office of Spl. Officer (Vig.), O.S.D. (Enquiry), O.S.D. (Enquiry Vigilance) and Confidential Section at Flag 'B', 'C', 'D' & 'E', respectively, no departmental / vigilance enquiry is pending against Sri Subhash Chand-VI, Chief Judicial Magistrate, Chitrakoot.

It is also to mention here that under the provision of Rule - 4 of U.P. Government Servant Resignation rules, 2000, (1) a Government Servant may resign from his service by giving three month's 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.

Request 27

It is pertinent to mention here that the appointing authority of judicial officers is the Hon'ble Governor / Government of U.P. and as such, under the circumstance of the case, it seems to be proper that the letter dated 23.12.2011, received from Sri Subhash Chand-VI, Chief Judicial Magistrate, Chitrakoot may be sent to the Government of U.P. for taking necessary action after treating it as letter of resignation from U.P. Judicial Service after waiving the proviso of three month's notice.

A

May, therefore, if approved by Hon'ble the Chief Justice, the letter dated 23.12.2011, received from Sri Subhash Chand-VI, Chief Judicial Magistrate, Chitrakoot may be sent to the Special Secretary, Appointment Section - 4, Government of U.P., Lucknow for treating it as letter of resignation having waived out the three month's notice as required? w.e.f 2.1.2012

B

If further approved by His Lordship the Government may be informed that no Departmental / Vigilance enquiry is pending against Sri Subhash Chand-VI, Chief Judicial Magistrate, Chitrakoot?

*Saini*  
2.1.12  
R.O.  
L21777-D  
2/1/2012

Ho'ble the Chief Justice  
Submitting for kind perusal  
and for approval at 'A' & 'B'

*(Signature)*

Approved at 'A' & 'B' 2.1.12.

*b*  
2.1.12

Registrar (B)

*✓*  
RG  
2.1.12

Registrar General  
may, like to place the  
file before Hon'ble  
the Chief Justice  
for His Lordship's  
kind perusal  
and order.  
R/G  
2.1.2012  
Reg (B)