

**Ld. Joint Registrar(J)(Budget)**

May kindly peruse online request dated 17.06.2021 accompanied with resignation notice dated 17.06.2021(**Annexure 3 under heading reply to objection**) of Ms. Rashi Raheja, Judicial Magistrate, Firozabad, duly forwarded by the District Judge, Firozabad, vide which she has tendered her resignation from U.P.Nyayik Sewa in lieu of her selection in Delhi Judicial Services Exams-2019.

Vide aforesaid letter dated 17.06.2021(**Annexure 3**), Ms. Raheja has informed that she has been selected in Delhi Judicial Services Exams-2019 and is willing to join the same. Besides, she has stated that application form for Delhi Judicial Services was submitted prior to joining U.P.Nyayik Sewa. With respect to date of relieving she has desired to be relieved from U.P.Nyayik Sewa at the earliest, while waiving specified notice period of 1 month.

Also, peruse letter dated 11.06.2021(**Annexure 2 under heading letter 6**) of the Registrar General, Delhi High Court, New Delhi vide which Hon'ble Court has been requested to relieve Ms. Rashi Raheja, Judicial Magistrate, Firozabad from U.P.Judicial Services at the earliest so as to enable her to join D.J.S and thereafter proceed for mandatory induction training, which is scheduled to commence from 21.06.2021.

In this context it is submitted that as Ms. Rashi Raheja had recently entered into U.P.Nyayik Sewa as Judicial Magistrate, Firozabad on 19.11.2019, the nature of her employment is still that of a temporary employee and therefore is not entitled to hold any lien with U.P.Nyayik Sewa. It is further submitted that Ms. Rashi Raheja had successfully cleared both Pre. and Mains stage of Delhi Judicial Services Exams-2019, prior to entering into U.P.Nyayik Sewa and NOC for interview was granted via offline mode, from this Hon'ble Court on 05.02.2020 under order dated 03.02.2020 of Hon'ble Administrative Judge, Agra.

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 :**

**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.**

It is pertinent to mention here that Ms. Rashi Raheja 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(**obtained in offline mode and placed in Miscellaneous Records file of officer**) obtained from concerned departments, there is no

departmental/vigilance enquiry pending against Ms. Rashi Raheja, Judicial Magistrate, Firozabad.

In the view of above submitted facts and information, if approved, the matter may kindly be placed before Hon'ble Mr. Justice Pritinker Diwaker, Nominated Judge vide order dated 19.10.2020 of Hon'ble the Chief Justice, for His Lordship's kind perusal and order to the effect that letter dated 17.06.2021 accompanied with resignation notice dated 17.06.2021(**Annexure 3**) and other enclosures of Ms. Rashi Raheja, Judicial Magistrate, Firozabad as well as aforesaid information about nature of her employment, notice period, relieving date, lien detail etc. may be sent to the Under Secretary, Appointment Section-4, Government of U.P, Lucknow with necessary recommendation of Hon'ble Court, **for relieving of Ms. Rashi Raheja, Judicial Magistrate, Firozabad from U.P.Nyayik Sewa, in accordance with Rule-3 of The U.P.Temporary Government Servants(Termination of Service) Rules, 1975, while waiving prescribed notice period of one month ?**

Pranti Dixit

Review Officer

Arvind Kr. Srivastava

Asst. Registrar

Admin(A-1)

19.06.2021

**Hon'ble Mr. Justice Pritinker Diwaker,  
Nominated Judge**

Submitted for kind perusal & order

Joint Registrar (J) (Budget)