

Ld. Joint Registrar(Judicial)(Budget)

May kindly peruse online request dated 04.04.2022 accompanied with resignation notice dated 11.04.2022 (**Annexure under heading Resignation notice to the Governor**) of Ms. Nikita Sengar, Additional Civil Judge(Junior Division), Hardoi, duly forwarded by the District Judge, Hardoi, vide which she has tendered her resignation from U.P.Nyayik Sewa in lieu of her selection in Andhra Pradesh Judicial Services Exams-2021.

Vide aforesaid letter dated 11.04.2022 (**Annexure under heading Application to Registrar General**), Ms. Nikita Sengar has informed that she has been selected in Andhra Pradesh Judicial Services Exams-2021 and is willing to join the same. Besides, she has stated that she had obtained No-objection certificate from Hon'ble High Court prior to appearing in interview of the said exam. With respect to date of relieving she has informed that she wants her resignation to be considered effective from 01.05.2022, while waiving notice period of one (01) month.

In this context it is submitted that Ms. Nikita Sengar, aforesaid entered into U.P.Nyayik Sewa as Additional Civil Judge(Junior Division), Hardoi on 16.11.2019 and has completed probation period of 2 years, as per Uttar Pradesh Judicial Service Rules, 2001 however she is still not confirmed in U.P.Nyayik Sewa (**as informed vide report dated 11.04.2022 of Assistant Registrar, Confidential 'B' section placed in Misc. file of officer**). Since the officer is not yet confirmed in service, she does not appear entitled to hold any lien with U.P.Nyayik Sewa. It is further submitted that Ms. Nikita Sengar cleared both Prelims and Mains paper of Andhra Pradesh Judicial Service Exams-2021, with the permission of Hon'ble High Court and No-Objection Certificate (NOC) for interview was granted via offline mode, from this Hon'ble Court on 02.03.2022. under order dated 02.03.2022 of Hon'ble Administrative Judge, Hardoi.

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. Nikita Sengar 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. Nikita Sengar, Additional Civil Judge(Junior Division), Hardoi.

In the view of above submitted facts and information, if approved, the matter may kindly be placed before Hon'ble Mr. Justice Pritinker Diwaker, Hon'ble The Senior Judge(J-1) (**as per Hon'ble Committee reconstitution order dated 29.03.2022 of Hon'ble the Chief Justice**), for His Lordship's kind perusal and order to the effect that application dated 11.04.2022 accompanied with resignation notice dated 11.04.2022 (**Annexure under heading Resignation notice to the Governor**) and other attachments of Ms. Nikita Sengar, Additional Civil Judge(Junior Division), Hardoi 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. Nikita Sengar, Additional Civil Judge(Junior Division), Hardoi 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
Section Officer
18.04.2022

Arvind Kr. Srivastava
Asst. Registrar
Admin(A-1)
18.04.2022

Hon'ble Mr. Justice Pritinker Diwaker,

Hon'ble The Senior Judge(J-1)

Submitted for kind perusal & order

Joint Registrar (Judicial) (Budget)

