

Registrar(J)(Budget)

May kindly peruse online request dated 25.07.2023 accompanied with resignation notice dated 03.10.2023 (**Annexure dated 10.10.2023 under heading Resignation Letter**) of Sushri Vasu Chaudhary, Additional Civil Judge(Junior Division), Azamgarh, duly forwarded by the District Judge, Azamgarh under endorsement no. 2355/I dated 10.10.2023, whereby she has voluntarily and unconditionally tendered resignation from U.P.Nyayik Sewa in light of provisions contained in **The U.P. Temporary Government Servants (Termination of Service) Rules, 1975** on account of her personal reasons.

Vide aforesaid resignation notice dated 03.10.2023 (**Annexure dated 10.10.2023 under heading Resignation Letter**), Sushri Vasu Chaudhary has informed that due to her family commitments and personal unavoidable circumstances, the applicant is no longer able to render her services in the Uttar Pradesh Judiciary. Hence, she has desired to be relieved from U.P.Nyayik Sewa at the earliest, while waiving prescribed notice period of one month so that she may be able to cater to her family obligations without any further delay.

In this context it is submitted that initially Sushri Vasu Chaudhary had preferred her resignation request on 25.07.2023 vide EservicesJOPortal however as the resignation notice attached therein was not endorsed by the District Judge, Azamgarh, an objection to same effect was made on 01.08.2023. Subsequently, request was resubmitted firstly on 23.09.2023 and finally, after completion of all desired formalities on 10.10.2023. Thus, the said request of Sushri Vasu Chaudhary was preferred to this office on 10.10.2023, complete in all aspects.

Further, it is submitted that Sushri Vasu Chaudhary entered into U.P.Nyayik Sewa as Civil Judge (Junior Division), Moradabad on 20.12.2019 and as per report dated 11.10.2023 obtained from Confidential 'B' section, she has not yet been confirmed in U.P.Nyayik Sewa.

Further, it is submitted that resignation/relieving requests of temporary officers are carried out in accordance with provisions contained in 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.

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 the Government of U.P. for necessary orders.

Further, as per reports **(obtained in offline mode and placed in Miscellaneous Records file of officer)** of other concerned departments, there is no departmental/vigilance enquiry pending against Sushri Vasu Chaudhary, Additional Civil Judge(Junior Division), Azamgarh.

In the view of above submitted facts and information, if approved, the matter may kindly be placed before Hon'ble Mr. Justice Surya Prakash Kesarwani, Hon'ble Senior Judge(J-1) **(as per Hon'ble Committee reconstitution order dated 29.08.2023 of Hon'ble the Chief Justice)** for His Lordship's kind perusal and order to the effect that request dated 25.07.2023, submitted via E-servicesJO portal, accompanied with resignation notice dated 03.10.2023 of Sushri Vasu Chaudhary, Additional Civil Judge (Junior Division), Azamgarh as well as aforesaid information about nature of her employment, notice period, relieving date etc. may be sent to the Special Secretary, Appointment Section-4, Government of U.P, Lucknow with necessary recommendation of Hon'ble Court, **for relieving of Sushri Vasu Chaudhary, Additional Civil Judge (Junior Division), Azamgarh 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 ?**

Pranti Dixit
(Section Officer)
Rajkumar Mishra
(Assistant Registrar)
Admin(A-1)

Hon'ble Mr. Justice Surya Prakash Kesarwani,

Hon'ble Senior Judge(J-1)

Submitted for kind perusal & order

Registrar (Judicial) (Budget)