

Registrar(J)(Budget)

May kindly peruse online request dated 22.07.2024 accompanied with Resignation Notice dated 22.07.2024 (**Annexure under heading Resignation**) of Sri Snehil Kunwar Singh, Additional Civil Judge(Junior Division), Azamgarh duly forwarded by the District Judge, Azamgarh on 02.08.2024, whereby he has 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 his successful selection in Civil Services 2023.

Vide aforesaid Resignation Notice dated 22.07.2024, Sri Snehil Kunwar Singh has informed that he was appointed in U.P.Nyayik Sewa vide Hon'ble High Court Notification no. 4/Admin(Services)/2024 dated 05.01.2024 and is presently serving as Additional Civil Judge(Junior Division), Azamgarh w.e.f the date of taking charge of the office i.e. 05.01.2024. Going further, he has informed that he appeared in the Interview of Civil Services 2023 after obtaining kind permission from Hon'ble High Court (**copy of permission attached ahead as Annexure A**).

Further, he has informed that he has been selected in the Civil Services Examination, 2023 and as evident vide communication received by Lal Bahadur Shastri National Academy of Administration, Mussourie dated 18.07.2024 (**copy attached ahead as Annexure B**), he has been instructed to join the LBSNAA Academy by 24th/25th August 2024.

Going further, Sri Snehil Kunwar Singh has referred Page 36 & Page 39 contained in Vitta Path, 2022 by virtue of which he has claimed lien on the temporary post of Additional Civil Judge (J.D.) currently held by him in U.P.Nyayik Sewa.

Thus, he has tendered his resignation vide Notice dated accompanied with the request to treat his resignation effective from 23.08.2024 and grant of lien over the temporary post of Additional Civil Judge (Junior Division), if so permissible in light of relevant rules.

In this context it is submitted that Sri Snehil Kunwar Singh entered into U.P.Nyayik Sewa as Additional Civil Judge (Junior Division), Azamgarh on 05.01.2024 and as per report dated 05.08.2024 obtained from Confidential 'B' section, he has not yet been confirmed in U.P.Nyayik Sewa and is not entitled to maintain lien in U.P.Nyayik Sewa.

In this respect it is further 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/grant of lien 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 Sri Snehil Kunwar Singh, Additional Civil Judge(Junior Division), Azamgarh.

In this context it is pertinent to mention here that vide order dated 30.11.2023 relating to reconstitution of Committees, Hon'ble the Acting Chief Justice has been pleased to nominate Hon'ble Mr. Justice Anjani Kumar Mishra as the single Judge Committee to deal with the matters relating to resignation of Judicial Officers from U.P.Nyayik Sewa/UPHJS.

In the view of above submitted facts and information, if approved, the matter may kindly be placed before single Judge Committee- Hon'ble Mr. Justice Anjani Kumar Mishra **(as per order dated 30.11.2023 of Hon'ble the Acting Chief Justice relating to reconstitution of Committees)** for His Lordship's kind perusal and order to the effect that request dated 22.07.2024, submitted via E-servicesJO portal, accompanied with resignation notice dated 22.07.2024 of Sri Snehil Kunwar Singh, Additional Civil Judge (Junior Division), Azamgarh as well as aforesaid information about nature of his employment, notice period, relieving date, lien detail 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 Sri Snehil Kunwar Singh, Additional Civil Judge (Junior Division), Azamgarh from U.P.Nyayik Sewa with effect from 23.08.2024, in accordance with Rule-3 of The U.P.Temporary Government Servants (Termination of Service) Rules, 1975, after serving prescribed notice period of one month ?**

Pranti Dixit
(Section Officer)
Admin A-1

Rajkumar Mishra
(Assistant Registrar)

Arvind Kunwar Srivastava
(Deputy Registrar)
Admin Misc-1

Hon'ble Mr. Justice Anjani Kumar Mishra,

Nominated Judge

Submitted for kind perusal & order

Registrar (Judicial) (Budget)