

D.R.(M)

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Request-96 157/R(B)  
27/6/16

May kindly see the letters, placed below at flags 'A', 'A-1', 'A-2' & 'A-3', received from Sri Rajendra Kumar Singh, Addl. Civil Judge (Jr. Div.), Azamgarh, by which he has requested for grant of permission to purchase house, measuring 2448 sq. feet, Arazi no. 560/2/1 and 561, situated at Mohalla- Humaunpur North, Tappa-Paragna- Haweli, Tehsil- Sadar, District- Gorakhpur.

In his letters, Sri Singh has stated that he intends to purchase house, measuring 2448 sq. feet, Arazi no. 560/2/1 and 561, situated at Mohalla- Humaunpur North, Tappa-Paragna- Haweli, Tehsil- Sadar, District- Gorakhpur from the owner of the house Smt. Sushila Devi, W/o Late Babu Chandrika Prasad Srivastava, R/o H.no. 151/133, Humaunpur North, P.S.- Gorakhnath, District- Gorakhpur for a sum of Rs. 44,00,000/-. He has submitted pointwise details of the proposed transaction, as required under the provisions of this Court's Circular Letter No. 25/ Admin (A) dated 13.07.1998 and has therefore, requested for grant of permission to purchase the above mentioned house.

The information regarding transaction of the house, as required under Court's Circular Letter No. 25/ Admin (A) dated 13.07.1998 as furnished by the officer is given below: -

1	Date of joining service	13.03.2014
2	Present Gross Salary Take home Salary	Rs. 60,289/- Rs. 58,589/-
3	Details of purchases (Moveable property exceeding to value of Rs. 10,000/- and immovable property) made by the officer earlier.	1. Laptop Dell Latitude, for Rs. 33,500/- in June 2014.
4	Details of Advance or Loan taken from the High Court.	Nil
5	Details of loan taken from Bank etc.	Nil
6	Details regarding purchase of second hand car.	N.A.
7	Details of the property proposed to be purchased	House, measuring 2448 sq. feet, Arazi no. 560/2/1 and 561, situated at Mohalla- Humaunpur North, Tappa-Paragna- Haweli, Tehsil- Sadar, District- Gorakhpur (Copy of agreement deed is at flag 'B')
	(b) Cost price	Rs. 44,00,000/-
8	Name and address of the seller(s).	Smt. Sushila Devi, W/o Late Babu Chandrika Prasad Srivastava, R/o H.no. 151/133, Humaunpur North, P.S.- Gorakhnath, District- Gorakhpur.
9	Status of the Seller /Dealer	Private person
10	Whether the seller is related to the officer in any manner and whether any case against him is pending/decided by the officer.	No.

11	Details of source of amount	<p>1. Rs. 35,00,000/- is proposed to be taken as housing loan from Indian Overseas Bank, Azamgarh, repayable in 300 EMIs of Rs. 32424/- (Copy of bank's offer letter is at flag 'C').</p> <p>2. He has savings, as follows in bank A/cs. And FDRs:-</p> <p>(a) Self A/c no. ....50351 of Indian Overseas Bank, Azamgarh – Rs. 4,53,957/-, out of which Rs. 4,00,000/- is stated to be paid as advance money through cheque no. 19330 and thus showing the balance of Rs. 60,046/- on 03.02.2015 (copy of passbook showing particular entry is at flag 'D').</p> <p>(b) Self A/c no. ....29361 of SBI, Danapur (Patna) – Rs. 1,71,457/- (copy of passbook is at flag 'E').</p> <p>(c) Self A/c no. ....49895 of Central Bank of India, Danapur (Patna)- Rs. 28,208/- (copy of passbook is at flag 'F').</p> <p>(d) F.D. (saving)- Rs. 1,00,000/- (flagged 'G').</p> <p>(e) Wife's saving A/c no. ....05145 of Indian Overseas Bank, Azamgarh- Rs. 1,30,013/- out of which Rs. 1,00,000/- is stated to be transferred from his wife's account to his father-in-law's account for giving advance money to the seller as cash (copy of passbook is at flag 'H').</p> <p>(f) F.D. (saving) of wife- Rs. 1,00,000/- (flagged 'I').</p> <p><b>Note:-</b> It is noteworthy to mention here that a total amount of Rs. 5,00,000/- is stated to be paid as advance money against the purchase of house. Details regarding the payment made, are already mentioned above.</p>
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It is also pertinent to mention here that there is a land, measuring 5700 sq.ft. situated at Jungle Kordiya, Gorakhpur, purchased in the name of his wife Mrs. Ratna Singh in the year 2010 by his wife's parents for Rs. 11,52,000/-, and on the query about the same vide Court's letter dated 04.11.2015 the officer has sent copy of sale deed (flagged 'J') & passbooks of his wife's parents by highlighting the particular debit entries made against the purchase of the aforesaid land (copy of passbooks showing particular debit entries are at flag 'K' & 'K-1'). The officer has also submitted that prior to joining the U.P. Judicial Service, he was in Bihar Judicial Service and his wife is also an earning member, drawing Rs. 72,000/- per annum from teaching, as shown in his property statement of joining.

It is further submitted that as per Rule- 24 (1) of U.P. Government Servant's conduct Rule-1956: -

"No Government servant shall, except with the previous knowledge of the appropriate authority acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family;

Provided that any such transaction conducted otherwise than through a regular & reputed dealer shall require the previous sanction of the appropriate authority."

Therefore, if approved, the file be laid before Hon'ble Mr. Justice Manoj Misra, Nominated Judge for disposal of the matters of Judicial Officers, of information/ permission of sale/ purchase of movable/ immovable property or gift etc., for His Lordship's kind perusal and if His Lordship approves, Sri Rajendra Kumar Singh, Addl. Civil Judge (Jr. Div.), Azamgarh may be granted permission to purchase House, measuring 2448 sq. feet, Arazi no. 560/2/1 and 561, situated at Mohalla- Humaunpur North, Tappa-Paragna- Haweli, Tehsil- Sadar, District- Gorakhpur from Smt. Sushila Devi, W/o Late Babu Chandrika Prasad Srivastava, R/o H.no. 151/133, Humaunpur North, P.S.- Gorakhnath, District- Gorakhpur for Rs. 44,00,000/-, as requested, subject to the condition that the relevant papers of the transaction alongwith copy of the sale deed be furnished by him immediately on completion of the transaction?

*Demurri*  
16.6.16  
ARD

*Dr. Jaiswal*  
16.06.16  
S.O.

*The Registrar (D.C.B.)  
Submitted for kind perusal and  
considered submission before Hon'ble Mr.  
Justice Manoj Misra for His Lord's kind  
perusal and orders.*

*17.6.16  
DRCM*

Hon'ble Mr. Justice Manoj Misra

Submitted for kind perusal and orders.

157/R(B)  
27/06/18

Deputy Registrar (M)

*[Signature]*  
27/6/18  
Registrar (716)  
27/6/18

'A' Permitted.  
*[Signature]*  
(Justice Manoj Misra)  
Judge  
High Court, Allahabad.  
17.07.2018

DRCM  
*[Signature]*  
28/7/18

Sd/- Adwani AIT  
*[Signature]*  
21/7/2018  
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21.7.18