

1959

D.R.(M)

May kindly see the letter at flag 'Z', received from Sri Sachin Maurya, Additional Civil Judge (Junior Division), Kanpur Nagar regarding grant of permission to sell his plot no. D1-4/123 in Mansarover Yojana, Kanpur Road, Lucknow.

In his letter, Sri Maurya has stated that plot no. D1-4/123 in Mansarover Yojana, Kanpur Road, Lucknow by Lucknow Development Authority had been allotted to him on 24.04.2006 for Rs. 3,84,244/- but at the time of allotment, he was not in the UP Judicial Services. The registry was made in favour of him on 20.07.2009 by LDA (copy of 'Sale Deed' is at flag 'X'), after making due payment of the aforesaid amount while he was not in the judicial service at the time of registry also. Now, the officer is finding it difficult to maintain the abovementioned plot, also the same is not suitable for house construction too. Therefore, he has decided to sell the said plot. 'Agreement of sale' (flagged 'Y') for the same was entered into with Smt. Vibhavari Rastogi W/o Sri Anil Rastogi R/o House no. 318 Baseeratganj, Lucknow, for Rs. 25,000/- as advance payment made through cheque no. 640997 dt. 08.03.2017. Meanwhile, he has joined judicial service on 15.03.2017. Thus, he need to have permission to execute sale deed in favour of Smt. Vibhavari Rastogi. The proposed purchaser is not connected to him in any manner and has not been a litigant either in his court or in district where he is posted i.e. Kanpur Nagar. He has therefore, requested that his request may kindly be placed before the Hon'ble High Court to accord permission to sell the said property for a sum of Rs. 42,75,000/- in favour of Smt. Vibhavari Rastogi W/o Sri Anil Rastogi R/o House no. 318 Baseeratganj, Lucknow.

In this connection, it is submitted that the property was purchased by the officer since before joining the judicial service, as also appears from the 'Sale Deed' of the Plot submitted by the officer. 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."

Under the facts and circumstances, mentioned above, if approved, the file may 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 orders,

'A'

Requred

A

for sale of plot no. D1-4/123 in Mansarovar Yojana, Kanpur Road, Lucknow by LDA to Smt. Vibhavari Rastogi W/o Sri Anil Rastogi R/o House no. 318 Baseeratganj, Lucknow, for a sum of Rs. 42,75000/-, as requested, subject to the condition that the relevant papers in connection with the sale transaction shall be furnished immediately on completion of the transaction?

Registrar (D) (B)

may like to place the file before Honble Mr Justice Manoj Misra for His Lordship's kind perusal and approval as proposed at 'A'?

Rd
16/5/2017
DR (M)

M
12/05/17
Ok: Jaiswal
15.05.17
S.O.

Honble Mr. Justice Manoj Misra

Submitted for kind perusal


and orders

Requred
16/5/17

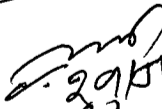
Deputy Registrar (M)

36(R/B)
(S S. Maurya)

"A" Permitted.


(Justice Manoj Misra)
Judge
High Court, Allahabad.
22.05.2017.

DR (M)


29/5/17
Registrar (B)

So Admin A-IV

Rd
29/5/2017
DR (M)

Smt. M. U. M. M.
M
30.5.17