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Reg 98

298/PLS
24.7.12

May kindly see the letter, placed below at flag 'AA', received from Sri Anil Kumar Kahrawar, Addl. Civil Judge (Junior Division), Mirzapur presently posted as Civil Judge (Junior Division), Saharanpur by which he has submitted his explanation about purchase of revolver instead of pistol from Field Gun Factory, Kalpi Road, Kanpur.

In this connection it is submitted that earlier on his request, Sri Kharwar has been granted permission to purchase a Pistol from Koshipore, Kolkata, vide order dated 23.02.2012 (flag 'Y') of Hon'ble Mr. Justice Sanjay Misra, communicated to the officer vide this Court's letter no. 2900/ IV- 3479/ Admin (A) dated 28.02.2012 (flag 'YY') with the direction to intimate the details of purchase along with purchase receipt and details of firearm & other relevant papers of the transaction immediately on purchase. Thereafter, Sri Kharwar, through his letter dated 14.03.2012 (flag 'Z') has submitted that he had applied for grant of permission to purchase a Pistol from Koshipore, Kolkata, but circumstances wise and due to facility, he has purchased a Revolver from Field Gun Factory, Kalpi Road, Kanpur on 13.02.2012. He has also submitted copies of relevant papers i.e. Invoice and receipt and expense voucher of the Revolver, which may kindly be seen at flags 'Z-1' & 'Z-2'. The same information was submitted to His Lordship through office note dated 02.04.2012 (flag '1A') with the remark that the officer has purchased a Revolver, whereas he had earlier applied for purchase of a Pistol, that too prior to grant of permission i.e. permission was granted on 23.02.2012, communicated on 28.02.2012, whereas Revolver was purchased on 13.02.2012.

On the office note dated 02.04.2012, His Lordship has been pleased to pass an order dated 21.05.2012 that ***There is discrepancy in the permission granted and the item purchased by the officer. Obtain explanation.*** The order has been communicated to the officer vide Court's letter dated 02.06.2012. (flag '1B').

In reply of Court's letter dated 02.06.2012, the officer has submitted his explanation through letter dated 22.06.12 at flag 'AA' in which he has stated that he had sent a D.D. to Koshipore, Kolkata and after a lapse of time of one year, his application form was returned back stating that it had some shortcomings. Due information has been sent to the Hon'ble High Court about this and thus he decided not to purchase pistol any more. Not only he got transferred but also due to short time, it became easy and quick to purchase revolver from Kanpur as he had licence to purchase either revolver/pistol. For these reasons revolver was purchased from Kanpur Gun Factory within a time limit of one and a half months

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and he got delivery of the same. Information has been sent to the Hon'ble High Court. Therefore, while keeping in view of the above facts and circumstances, he has found it quite convenient to purchase revolver from Kanpur Gun Factory.

Under the facts and circumstances, mentioned above, if approved, the file be laid before Hon'ble Mr. Justice Sanjay Misra for His Lordship's kind perusal and order either to regularize the matter or to pass any such order which His Lordship deem fit and proper?

Registrar (Budget)

Report asked & submitted by Sri Anil Kumar Kharwar, the then Addl. Civil Judge (J.D.) Mirzapur, now Civil Judge (J.D.) Saharanpur in regard to purchase of revolver instead of Pistal have been enumerated above, in detail because the above explanation / information was Under Court's letter dtd 2.6.12

17/07/12

12.05.12

AKS... 12.7.12

10-7-12

23.7.12
DR(m)

Hon'ble Mr. Justice Sanjay Misra

Submitted for kind perusal and order.

Registrar (Budget):

Despite repeated queries, the officer appears to have given misleading and evasive replies.

Therefore, he may be asked to furnish detailed explanation with supporting documents, if any, as to why he has purchased revolver on 13.02.2012 without permission of the Court and in violation of Circular dated 12.04.2010 issued by this Court.

(Justice Sanjay Misra)
JUDGE NOMINATED BY HON.C.J.

Registrar (Budget)

23.7.12

DR (m)

Regd. (B)
31.8.12

So (Admin Act)

31.8.12
DR (m)
31.8.12

Sri Anil

1.9.12