

D.R.(M)

Rev. 96

443
18/12/12

May kindly see the letters, placed below at flags 'A', 'A-1' & 'A-2', received from Sri Rajiv Bharti, Additional District & Sessions Judge, Meerut regarding permission to sell immovable property i.e. part of commercial plot i.e. 16.18 sq. meters of his wife Smt. Renu Bharti, situated at Saharanpur.

In his letters at flags 'A' & 'A-1', Sri Rajiv Bharti has stated that before joining the Judicial service in the year 2008 i.e. on 15.12.2008, a commercial plot measuring 32.36 sq. meters, Khewat no. 6/3, Mahal Gate, Daiyan Wahid Khan, Dara Pathanpura, Paragna, Tehsil & District Saharanpur had been purchased by his wife Smt. Renu Bharti (copy of sale deed is at flag 'B'), which at present she wants to sell. The aforesaid plot measuring totally 32.36 sq. meters had been purchased in the name of his wife from Sri Sanjeev Kapoor and Sri Jitendra Singh on 21.11.2007. Out of this, half of the plot i.e. 16.18 sq. meters had already been sold by her wife on 24.04.2008 to Sri Roshanlal S/o Late Sri Mohanlal R/o Numaish Camp, Saharanpur (Copy of sale deed is at flag 'C'). Rest of the plot i.e. 16.18 sq. meters is now to be sold to one relative of his wife's side, Sri Kewal Krishna Sachdeva, S/o Late Sri Lekhraj Sachdeva, R/o Awas Vikas, Saharanpur. Sri Sachdeva would pay the amount of the plot which is approx. Rs. 10,77,400/- from his S.B. A/c, State Bank of Patiala through cheque in favour of his wife, Smt. Renu Bharti. The purchaser is neither related to him in any way nor any of his case is pending in his court. He has, therefore, requested for grant of permission to the effect that his wife Smt. Renu Bharti may sell the above mentioned piece of plot to the proposed purchaser.

At the time of processing his applications, it was found that the area of above mentioned plot was shown by the officer in his property statement as 14.68 sq. m. and as such the area of the plot is differed, Sri Rajeev Bharti was asked vide Court's letter dated 05.10.2012 (flag 'D') to clarify the actual position for taking further necessary action in the matter.

Now, in reply of Court's letter dated 05.10.2012, Sri Bharti through his letter dated 03.12.2012 (flag 'A-2') has submitted that at the time of submission of his property statement, the area of rest of the plot was mentioned as 14.68 sq. meters by mistake, whereas his wife is owner of 16.18 sq. meters of the plot. He has regretted for this mistake. He has also submitted supporting papers i.e. earlier sale deed of purchase of the plot and sale deed of sale of half part of the plot (flagged 'B' & 'C'). By submitting the same details, as already earlier submitted through his letters at flags 'A' & 'A-1', Sri Bharti has again requested for grant of permission in the same matter.

In this connection, it is submitted that the said property has been shown by the officer in his Property statement (Property statement for the date of joining is at flag 'E'). The relevant Rule- 24 (1) of U.P. Government Servant's conduct Rule-1956 speaks as follows: -

"No Government servant shall, except with the previous knowledge of the appropriate authority acquire or dispose of any immovable property by lease, mortgage,

..contd...2,..

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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."

A

May, therefore, if approved, the file be laid before Hon'ble Mr. Justice Sanjay Misra for kind perusal and if His Lordship approves, Sri Rajiv Bharti, Additional District & Sessions Judge, Meerut be granted permission to the effect that his wife may sell immovable property i.e. part of commercial plot i.e. 16.18 sq. meters, Khewat no. 6/3, Mahal Gate, Daiyan Wahid Khan, Dara Pathanpura, Paragna, Tehsil & District Saharanpur to Sri Kewal Krishna Sachdeva, S/o Late Sri Lekhraj Sachdeva, R/o Awas Vikas, Saharanpur, for about Rs. 10,77,400/-, 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?

Dr. Jain
14.12.12

AKS...
15.12.12

Prasad
15-12-12
AR

Registrar (Budget)

Submitted for kind perusal and onward submission before Hon'ble Mr. Justice Sanjay Misra for His Lordship's kind perusal and orders as proposed at 'A' above.

M
12.12.12
DR(M)

As proposed at 'A' above.
Om
09/1/13

Hon'ble Mr. Justice Sanjay Misra

Submitted for kind perusal & orders as proposed at 'A' above.

18.12.12
Registrar (Budget)

DR(M)

Rept
9-1-13

Sd(Admin AU)

Prasad
10-1-13
AR(M)
10-01-13

Sitaram
10.1.13