

### **Registrar (J) (Budget)**

May kindly see the online application of Sri Virek Aggarwal, Civil Judge (Jr. Div.), Sambhal at Chandausi, regarding grant of permission to visit United States of America (USA) to accompany his parents for visiting his twin brother from 18.12.2020 to 09.01.2021 .

In his online application, Sri Virek has stated that his twin brother Mr. Viren Aggarwal is residing in USA at 163 N Marengo Ave, Apt 213, Pasadena, CA 91101 and he plans to visit him in winter vacation during the period 18.12.2020 to 09.01.2021. His brother is residing there all alone and is working from home for last 7 months, therefore, his parents wish to visit him. However, his parents are senior citizens, and both are suffering from knee problem, they need him to accompany them. Moreover, his real sister shall also be visiting during vacation from London, to see his parents, which will be an opportunity for him to meet his sister also. He has further stated that during his visit, he will stay with his brother. The expenses of his Air Ticket shall be borne by him. He already has a VISA Number (20131054940001) for USA till 14.04.2023 and he will take appropriate travel insurance as well for his travel during the aforesaid period. He has also submitted that he will not do any act which bring disrepute to UP state Government or India, or which is against the ethics and dignity of a Judicial officer. He has added that he has previously travelled to USA before joining the services and during service for 9 days during summer vacations in June 2018 & for 21 days from 18 December 2019 to 7 January 2020. His visit is completely familial and personal and during the aforesaid period he will take Earned leave of 22 days from 18<sup>th</sup> December 2020 to 8<sup>th</sup> January 2021. (Copy of VISA, passport & statement of A/c showing a balance of Rs. 2,96,661/- can be seen as attachment). The estimated expenditure of his proposed visit is Rs. 80,000/- approx. Furthermore during winters the Courts are closed from December 25 to 31, as such the Court work will not suffer adversely. He has also submitted the following declarations:- (which can be seen as attachment).

1. That by his visit to abroad visit no dilemma is likely to create before the Government of India or before the Government of U.P.
2. That such type of request for abroad visit has not been refused earlier.
3. He has previously travelled to USA for 9 days during summer vacations in June 2018, and for 21 days from 18 December 2019 to 7 January 2020,

He has, therefore, requested the Hon'ble High Court to grant him permission to visit USA to accompany his parents from 18.12.2020 to 09.01.2021.

In this connection, it is submitted that grant of permission to visit abroad is considered in accordance to the G.O.1/3/98-Ka-Prasko/1999 dated 14 June 1999. Earlier he has been granted permission to visit USA twice to meet his twin brother there from 21<sup>st</sup> June 2018 to 30<sup>th</sup> June 2018 vide order of Hon'ble The Chief Justice dated 03.07.2018 & from 19.12.2019 to 06.01.2020 (including winter vacation) vide order of Hon'ble The Chief Justice dated 05.11.2019. As per reports, no vigilance/departmental enquiry is pending against Sri Virek Aggarwal (Hard copies of reports are on the misc. file of the officer). There is also a **Court's C.L. no. 16/ IV f-101/ Admin (A) dated 27.05.2017, which regulates the foreign visit of Judicial Officers** and as per point (2) of that Court's C.L. dated 27.05.2017:-

**“For other reasons and for pleasure trips, the officer will be permitted to go abroad only during vacations/ official holidays, for which even before applying for VISA, prior permission should be applied at least two months prior to the proposed visit.”**

In the instant case, It is also pertinent to mention here that the officer wants to visit USA from 18.12.2020 to 09.01.2021 to accompany his parents who are suffering from knee problem; to meet his twin brother there and the duration of the visit is already scheduled and in order to accompany his parents, it appears that the officer also can not shorten his visit only to the winter holidays as provided vide Court's C.L. no. 16/ IV f-101/ Admin (A) dated 27.05.2017, in case of pleasure trips. Now, its upto the discretion of Hon'ble The Chief Justice and Hon'ble Administrative Judge, Sambhal at Chandausi to grant him permission to visit USA to accompany his father from 18.12.2020 to 09.01.2021, seeing the C.L. dated 27.05.2017 as a special case. As per Court's C.L. dated 27.05.2017, it has been provided that for the purpose of grant of such permission the competent authority for the judicial officers is Hon'ble the Administrative Judge of the District concerned, for the Judicial officers posted in judgeship or on the District of any deputation post, subject to approval by Hon'ble the Chief Justice or any member of the Administrative Committee authorized by Hon'ble the Chief Justice. Recently vide order dated 19.10.2020, Hon'ble The Chief Justice has nominated Hon'ble Mr. Justice Pritinker Diwaker for the purpose.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice Devendra Kumar Upadhyaya, Administrative Judge, Sambhal at Chandausi Judgeship for kind perusal and orders and if His Lordship approves:-

(a) Sri Virek Aggarwal, Civil Judge (Jr. Div.), Sambhal at Chandausi may be granted permission, as a special case, to visit United States of America (USA) to accompany his parents for visiting his brother in USA and his real sister who shall be travelling to USA from London during that period, during winter vacations from 18.12.2020 to 09.01.2021, as requested, subject to approval by Hon'ble Mr. Justice Pritinker Diwaker, Nominated Judge for the purpose as per Court's C.L. dated 27.05.2017 and as per recent order dated 19.10.2020 of Hon'ble The Chief Justice as mentioned above with the condition that proper charge of Government records or cash, if any, or any government property with him, may be handed over by him before proceeding abroad?

Munmun Narang

Review Officer

02.11.2020

Mohd. Arshad

Asst. Registrar

02.11.2020

**Hon'ble Mr. Justice Devendra Kumar Upadhyaya,**  
**Administrative Judge, Sambhal**  
Submitted for kind perusal & orders

Registrar(J)(Budget)

06.11.20